By Mr. SIEGEL: Six memorials against passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. SULLOWAY: Petitions of Gilmanton Iron Works, of Belknap; 27 Christian churches, 24 Bible schools, 14 Young People's Societies, 17 organized Bible classes, 12 granges of the Patrons of Husbandry, making 94 organizations, all in the first congressional district in the State of New Hampshire, for passage of House joint resolutions 84 and 85, proposing an amendment to the Constitution of the United States prohibiting the beverage traffic in intoxicating liquors; to the Committee on the Judiciary.

Also, petitions of 959 citizens in the first congressional district in the State of New Hampshire, for passage of House joint resolutions 84 and 85, proposing an amendment to the Constitution of the United States prohibiting the beverage traffic in intoxicating liquors; to the Committee on the Judiciary.

Also, petitions of 870 voters in the first congressional district in the State of New Hampshire, for passage of House joint resolutions 84 and 85, proposing an amendment to the Constitution of the United States prohibiting the beverage traffic in intoxicating liquors; to the Committee on the Judiciary.

By Mr. TINKHAM: Petition of sundry American citizens, indorsing House joint resolutions 14 and 81, and similar bills; to the Committee on Foreign Affairs.

Also, memorial of Roxbury Presbyterian Church and citizens of Roxbury district, Boston, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. VARE: Memorial of Philadelphia (Pa.) Chamber of Commerce, favoring passage of the Stevens-Ayres bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Frankford Arsenal Association, of Philadelphia, Pa., relative to system of salary regulation for Government employees; to the Committee on Reform in the Civil Service.

Also, memorial of Retail Grocers' Association of Philadelphia, Pa., favoring tariff on dyestuffs; to the Committee on Ways and Means.

Also, memorial of Vessel Owners and Captains' Association, of Philadelphia, Pa., favoring retention of 13-hour rule for crews on inland and harbor tugs; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Fraternal Patriotic Americans of Philadelphia, Pa., favoring passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of Pennsylvania Branch of the Loyal Legion of the United States, relative to preparedness; to the Committee on Military Affairs.

By Mr. WASON: Petitions of 29 residents of Greenville and 17 citizens of Newport, all within the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

Also, resolutions of Sunday school, representing 30 people, of Errol; Woman's Christian Temperance Union of East Colebrook; Woman's Christian Temperance Union, representing 10 people, of Errol; South Congregational Church, representing 250 people, of Newport; Christian Endeavor Society of First Baptist Church, representing 30 people, of Newport; Methodist Episcopal Church, representing 100 people, of Peterborough; Women's Temperance Union, representing 150 people, of Franklin, all in the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

SENATE.

MONDAY, *March 27, 1916.*

Rev. G. Livingston Bayard, chaplain, United States Navy, offered the following prayer:

O God of Nations, Lord of Lords, and King of Kings, who has taught us in Thy Holy Word that "Righteousness exalteth a nation, but sin is a reproach to any people," help us, we pray Thee, so to apply our hearts unto wisdom that we may know Thy purposes and do Thy will to the end that truth and justice may prevail and the glory of Thy name be proclaimed among us and our children's children forever and forever.

We acknowledge Thy goodness, O Lord, which has guided our people in the paths of truth and righteousness, and has blessed this Nation with peace and happiness.

Humble us, we pray Thee, under the burden of the new duties and responsibilities with which we are charged. Grant, O God, that this Nation, conceived in war, born in battle, and baptized in blood, may, under Thy patronage, fight its way through with its honor unsullied and its integrity unimpaired to that one far-off divine event when the war drums beat no longer and the battle flags are furled, when men shall beat their swords into plowshares and their spears into pruning hooks, and peace reign everywhere. These blessings we ask in the faith of Him who died that we might live—Jesus Christ our Lord and Savior. Amen.

The Journal of the proceedings of Saturday last was read and approved.

SENATOR FROM INDIANA.

Mr. KERN. Mr. President, Hon. THOMAS TAGGART, who has been regularly appointed a Senator from the State of Indiana by the governor of that State to fill the vacancy occasioned by the death of the late Senator Shively, and whose credentials have been heretofore presented to the Senate, is now present and ready to take the oath of office.

The VICE PRESIDENT. The Senator appointed will be presented at the Vice President's desk and take the obligation.

Mr. TAGGART was escorted to the Vice President's desk by Mr. KERN; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

PETITIONS AND MEMORIALS.

Mr. OVERMAN presented a memorial of sundry citizens of Wilmington, N. C., remonstrating against the enactment of legislation to make Sunday a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Reidsville, N. C., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. SHEPPARD presented petitions of sundry citizens of Yoakum, Alpine, Garland, and Gregory, all in the State of Texas, praying for national prohibition, which were referred to the Committee on Commerce.

He also presented petitions of sundry citizens of the District of Columbia, praying for prohibition in the District of Columbia, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Austin, Tex., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE. I present resolutions of the House of Representatives of the Commonwealth of Massachusetts, favoring the securing of moral support of the United States for the oppressed Jews in Europe. I ask that the resolutions may be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE COMMONWEATH OF MASSACHUSETTS, 1916.

Resolutions favoring action by Congress toward securing the moral support of the United States for the oppressed Jews in Europe.

Whereas at the close of the war of the nations that is now devastating Europe there will be a readjustment of the rights and privileges of citizenship in the belligerent countries; and

Whereas in some of the warring countries the Jews have been refused the privileges and responsibilities of full citizenship, denied equality before the law, and have been the subjects of persecution and oppression; and

Whereas the Commonwealth of Massachusetts has ever stood foremost for the assertion of human rights and has ever championed the cause of the weak and the oppressed: Therefore be it

Resolved, By the House of Representatives of Massachusetts that the Senators and Representatives in Congress from Massachusetts are hereby requested at the proper time to take concerted action toward securing the moral support of the United States for the oppressed Jews in Europe in their efforts to obtain full, complete, and honorable citizenship in the countries to which they have given loyal and patriotic devotion.

Resolved, That copies of these resolutions, attested by the secretary of the Commonwealth, be sent by said official to each of the Senators and Representatives in Congress from Massachusetts.

In house of representatives, adopted March 17, 1916.

A true copy. Attest:

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

Mr. LODGE presented petitions of sundry citizens of Worcester, Middleboro, Haverhill, Methuen, Andover, and Hudson, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of Local Branch No. 5, United National Association of Post Office Clerks, of Boston, Mass., remonstrating against the separation of the Cambridge (Mass.) postal stations from the Boston (Mass.) post office, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Massachusetts State Board of Trade, praying that an appropriation be made for the construction of an intracoastal waterway from Boston, Mass., to Pensacola, Fla., which was referred to the Committee on Commerce.

Mr. CURTIS. I present three resolutions from citizens of Kansas, favoring woman suffrage, which I ask may be printed in the RECORD.

The resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

Resolved, That we, the members of the second district Republican convention of Kansas, urge Congress to submit at once to the State legislatures, for ratification, an amendment to the United States Constitution enfranchising women, in order that the political rights now enjoyed by the women of our own State may in the shortest time possible be extended to the women of the Nation.

Resolved, That we, the members of the Republican convention of the fourth district of Kansas, held at Emporia, March 15, favor Nation-wide suffrage for women and the immediate submission by Congress of an amendment putting it in force.

Resolved, That we, the members of the Republican convention of the eighth district of Kansas, held at Wellington, March 14, favor Nation-wide suffrage for women and the immediate submission by Congress of an amendment putting it in force.

Mr. STERLING presented a memorial of sundry citizens of South Dakota, remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

Mr. JOHNSON of South Dakota presented a petition of the Art Club of Mitchell, S. Dak., and a petition of the Study Club of Salem, S. Dak., praying for an investigation into conditions surrounding the marketing of dairy products, which were referred to the Committee on Agriculture and Forestry.

He also presented memorials of sundry citizens of Pollock and Huron, in the State of South Dakota, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. KENYON presented a memorial of Columbia Grange, No. 2117, Patrons of Husbandry, of Donnellson, Iowa, remonstrating against the enactment of legislation to change the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Thompson, Iowa, praying for the creation of a system of rural credits, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Waukon, Iowa, remonstrating against the enactment of legislation to make Sunday a day of rest in the District of Columbia, which was ordered to lie on the table.

Mr. BURLEIGH presented a petition of the Maine State Board of Trade, praying that an appropriation be made tending toward the destruction of the dogfish, which was referred to the Committee on Fisheries.

He also presented a memorial of the Maine State Board of Trade, remonstrating against the enactment of legislation to provide for Government-owned ships, which was referred to the Committee on Commerce.

He also presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PHELAN presented a memorial of sundry citizens of St. Helena, Cal., remonstrating against the enactment of legislation to make Sunday a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Danville and Oakland, in the State of California, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Ebell Society, of Oakland, Cal., praying that an appropriation of $300,000 be made for the improvement of the Yosemite National Park and the creation of a national-park service, which was referred to the Committee on Appropriations.

Mr. JOHNSON of Maine presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Maine, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. NELSON presented a memorial of the Housewives League, of St. Paul, Minn., remonstrating against the proposed repeal of the free-sugar clause, which was referred to the Committee on Finance.

He also presented a memorial of the Cairo Farm Club, of Fairfax, Minn., remonstrating against the enactment of legislation to prohibit interstate commerce in convict-made goods, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Dalbo, Minn., praying for the placing of an embargo on munitions of war, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WADSWORTH presented petitions of sundry citizens of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Kingston, N. Y., praying for publicity with regard to the diplomatic relations of the United States, etc., which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 392) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War Volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, reported it with amendments and submitted a report (No. 307) thereon.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 68) to cede to the State of Maryland temporary jurisdiction over certain lands in the Fort McHenry Military Reservation, reported it without amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENYON:

A bill (S. 5284) granting an increase of pension to Josiah Sadler (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5285) granting a pension to Arthur M. Clark;

A bill (S. 5286) granting a pension to Stella Miller; and

A bill (S. 5287) granting an increase of pension to Gardner L. Hatch; to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 5288) for the relief of Sarah E. Church (with accompanying papers); and

A bill (S. 5289) for the relief of the States of Massachusetts and Maine (with accompanying papers); to the Committee on Claims.

By Mr. CHAMBERLAIN:

A bill (S. 5290) granting a pension to Harry F. Roddy (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 5291) to authorize the Postmaster General to settle the accounts of Capt. J. H. Estes; to the Committee on Claims.

RELIEF OF SUFFERERS AT PARIS, TEX.

Mr. SHEPPARD introduced a bill (S. 5283) to authorize the Secretary of War to supply tents for temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes, which was read the first time by its title.

Mr. SHEPPARD. I ask that the bill be read at length, as it is a matter of urgency.

The bill was read the second time at length, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to supply for temporary use, under such rules and regulations as he may prescribe, a sufficient number of tents to afford shelter for the sufferers from the recent conflagration in Paris, Tex., who are in need of the same.

That the sum of $60,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War in the purchase and distribution of shelter, food, cots, and blankets to such destitute persons as may require assistance in said conflagration district.

Mr. SHEPPARD. I ask to have read the two letters attached to the bill. They are very short, and I wish to have them read for the information of the Senate.

There being no objection, the Secretary read as follows:

MARCH 25, 1916.

Hon. MORRIS SHEPPARD,
Washington, D. C.

MY DEAR SENATOR: With reference to your inquiry relative to fire at Paris, Tex., I beg to inform you that Capt. Pickering has investigated conditions and recommended an emergency allotment of $60,000 to provide shelter, food, cots, and blankets for the destitute at Paris. There are no funds of any appropriation under control of the War Department that are available for the purpose of rendering relief as requested. This is submitted to you for such action as you deem necessary. The War Department will be glad to assist in every way within its power in caring for the stricken in Paris.

Yours, very truly,

NEWTON D. BAKER,
Secretary of War.

[Official copy furnished to Hon. MORRIS SHEPPARD, United States Senate.]

PARIS, TEX., *March 24, 1916.*

THE ADJUTANT GENERAL,
War Department, Washington, D. C.:

Paris, Tex., has population about 16,000, with 10,000 white and 6,000 colored. Value of property destroyed about $14,000,000, or about 80 per cent of total value of buildings and personal property of city.

White persons homeless about 4,000, colored 4,000. Nearly all these people lost all household goods. Of this number about 4,500 are indigent citizens of Paris. Have furnished emergency shelter for about 6,000 and emergency food supplies for all. Total contributions by citizens $25,000. Contributed by neighboring cities about $12,000.

Governor has asked your authority to issue tentage. I do not know how much he has. Rations and shelter required as follows: Rations, 800 persons, 60 days, and 1,500 persons, 30 days; total, 93,000 rations, at 30 cents value, $27,900; food can be bought within 100 miles. Shelter required for 5,000 persons, if large pyramidal tents are used, value $42,000; cots for 6,000 at $2 is $12,000; blankets for 2,000 at $2 is $4,000; freight, $600; expense of distribution, $500; total, $87,000; on hand $37,000; to be supplied, $50,000. Officials and other leading citizens are devoting attention to relieving public distress to the neglect of their own urgent affairs.

In view of their severe private losses, the contributions are very liberal, and to double them would be more than should be expected of a stricken community of this size. The necessity is urgent, and I strongly recommend Federal aid. As the shelter should last longer than the life of tents and be semipermanent, it is recommended that tentage be not furnished, but that a slightly increased money equivalent be given for construction of shacks from paper and cheap lumber. I recommend emergency allotment of $60,000 under appropriations covering above-mentioned purposes. As I am quartermaster, the funds can be invoiced to me. I am working with local committees, and will so continue until further orders.

PICKERING.

Mr. SHEPPARD. I move that the bill and accompanying papers be referred to the Committee on Appropriations.

The motion was agreed to.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMOOT submitted an amendment providing that investigations in forestry and forest utilization may be authorized by the Secretary of Agriculture in Mexico, Central and South America, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 12717), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. CATRON submitted an amendment proposing to appropriate $9,880 for 16 pages for the Senate from July 1, 1916, to March 4, 1917, both inclusive, etc., intended to be proposed by him to the legislative, executive, and judicial appropriation bill (H. R. 12207), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SMITH of Arizona submitted an amendment proposing to appropriate $1,000 to pay Tom K. Richie, of Tucson, Ariz., being a sum inadvertently covered into the Treasury on a forfeited cash recognizance in a case entitled "United States *v.* Frank Lee" pending in the United States district court, intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

IMPROVEMENT OF CRUM RIVER, PA.

Mr. OLIVER submitted an amendment intended to be proposed by him to the bill (S. 5244) authorizing the Secretary of Commerce to exchange lands belonging to the United States at the mouth of Crum River, Pa., for other lands adjacent thereto, for the purpose of removing thereto the Schooner Ledge Range Front Light, so that it may be on the range of the channel of the Delaware River, and further authorizing the Secretary of Commerce to remove said range light from its present location to the property acquired by the exchange, which was referred to the Committee on Commerce and ordered to be printed.

RECLAMATION OF ARID LANDS.

Mr. JONES. On behalf of the chairman of the Committee on Irrigation and Reclamation of Arid Lands [Mr. SMITH of Arizona], I submit a resolution and ask for its immediate consideration.

The resolution (S. Res. 154) was read, as follows:

Resolved, That the Committee on Irrigation and Reclamation of Arid Lands, or any subcommittee thereof, be, and is hereby, authorized during the sixthy-fourth Congress to hold hearings on the bill (S. 4251) in aid of reclaiming arid lands, and for other purposes; to employ a stenographer, at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

NATIONAL DEFENSES IN CALIFORNIA.

Mr. WORKS submitted the following resolution (S. Res. 152), which was read, considered by unanimous consent, and agree to:

Resolved, That the Secretary of War is hereby directed to furnish the Senate the following information:

First. What military force we now have in the State of California, and to what branch or arm of the service they belond, giving the strength of each and at what places in the State they are stationed.

Second. What coast defenses there are in the State and how they are manned, giving the number and kind of guns in each fort or other fortification and the force of men in each.

VESSELS OF THE NAVY.

Mr. WORKS submitted the following resolution (S. Res. 153) which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy is hereby directed to furnish the Senate the following information:

First. The number of warships and vessels of all kinds that we now have, giving the kind and number of each.

Second. The number and kind of such vessels stationed on the Pacific Ocean and belonging to the Pacific Fleet, and their kind; and the number and kind stationed on the Atlantic side of the country and belonging to the Atlantic Fleet, and their kind, separating and classifying them in each case.

Third. The number now under contract or construction, and where, and their kind.

URGENT DEFICIENCY APPROPRIATIONS.

Mr. MARTIN of Virginia submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13043) making appropriations to supply further additional urgent deficiencies in appropriations for the fiscal year 1916 and prior fiscal years, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4 and 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: Omit the matter inserted and stricken out by said amendment; and the Senate agree to the same.

THOMAS S. MARTIN,
JOHN F. SHAFROTH,
F. E. WARREN,
Managers on the part of the Senate.

JOHN J. FITZGERALD,
J. G. CANNON,
Managers on the part of the House.

The report was agreed to.

NATIONAL DEFENSE.

Mr. UNDERWOOD. Mr. President, I wish to give notice that immediately on the completion of the morning business on Thursday next I desire to address the Senate on the subject of preparedness.

INDIAN APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed.

Mr. ASHURST. I ask unanimous consent that the Senate proceed to the consideration of House bill 10385, the Indian appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10385) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917.

LANDSCHAFT SYSTEM OF RURAL CREDITS.

Mr. SHEPPARD. Mr. President, I gave notice a few days ago that to-day I would discuss the landschaft system of rural credits. I think that while we are engaged in the necessary preparation for an adequate Army and Navy we should not overlook the fact that the most permanent and important form of preparedness lies in a prosperous and independent agriculture, and that a proper system of rural credits is, after all, of the first importance.

The Nation's greatest asset is the soil. The chief necessity of its complex economic life is credit. The basis of credit is a promise to pay. Much of a nation's progress is measured by the rapidity with which written evidences of promises to pay circulate as a substitute for metallic money and the soundness of the security for such substitute. The supply of metallic money is limited, and if it had to be exchanged with every transaction, civilization would be far less advanced. Indeed, our present state of material advancement would be unthinkable. The supply of credit is limited only by the extent to which promises to pay are based on accepted security and are used to discharge human obligations.

It follows, therefore, that the sounder the security the wider will be the use of the credit instrument it supports, the lower will be the interest price of the capital it commands, and the greater will be the impetus to civilization, to the progress, the happiness, and the prosperity of the masses.

Now, what sounder and more permanent security may be imagined than cultivated soil, the source of human subsistence? The existence of earth's increasing millions is related directly to the land, from which they must be fed and clothed, and as long as humanity flourishes the soil will have a value that can not be taken away, a value that must grow with the multiplication of the race. And yet in the United States the owners and workers of the soil must pay a higher interest rate than all others for credit with which to keep in motion the machinery of production that the world may live. As to the great majority of these owners and workers, their promises to pay at present command the least financial regard, and have practically no standing as circulating instruments of credit.

It so happens, however, that in a wonderful country beyond the Atlantic, a country in many respects the most remarkable in the world, the land, its greatest asset, has been made the basis of one of the most stable and most beneficent credit instruments on earth. I allude to Germany and the landschaft bond. Strange to say, as long ago as 147 years Prussia began a system which made the land the basis of permanent credit, a security for the farmer's promise to pay which he could exchange for money in the open market at the lowest rate, without the intervention of the profit bank, and which brought him economic independence, lasting prosperity. It is not surprising that Germany displays an internal vitality to-day that astounds the world, a vitality resulting largely from the fact that 86.1 per cent of German farms are worked by their owners. On the tomb of Frederick the Great one word could be inscribed that would mean more than Hennersdorf and Rossbach, than all his other achievements in court or camp, and that word is "Landschaft." He organized the first landschaft in 1769. He obtained the idea from a Berlin merchant, Buring, and Buring ought to have a monument by the side of Frederick's.

The landschaft was little less than a miracle of finance. It touched the land and the land was gold. Landschaft means land district. It is an incorporated body of borrowing farmers in a given district, and its essence is the exchange of the mortgage of the individual member for the society's collective bond and the sale of the bond without further guaranty. It collects annual or semiannual interest and amortization payments, distributed over a long term of years, on practically the same principle on which the interest and sinking-fund payments are collected in American school and drainage districts. There are 25 of these societies in Germany to-day, and their bonds are surviving the shock of the most terrific war of time. The initial landschaft, founded by Frederick the Great in 1769, is still in successful operation. These societies had in circulation in 1909 bonds of the value of $840,000,000, carrying an interest rate of 3, 3½, and 4 per cent. These societies do not know what failure means. They are so operated that they can not fail. They are based on a value that can not fail—the value attaching to the source and means of human subsistence. As long as humanity exists upon the products of the soil that value must exist. The landschaft has solved the problem of finding and preserving that value. The borrowing power represents as high as 60 per cent of the productive value of the land. Speculative value is not considered.

The landschaft has no capital stock, no shares, no dividends. Its loans run from 45 to 54 and 75 years, and each payment has an amortization feature. Its principal features are: (1) rigid government supervision; (2) reliable appraisal; (3) summary foreclosure and administration; (4) collective liability; (5) land titles without the possibility of question; (6) participation by borrowers in the management; (7) nominal expense of management.

A joint-stock, profit bank is no part of a genuine, land-credit system. If the bank takes a mortgage, bases a bond on it, and sells the bond under its own guaranty, the expense of maintaining the bank with its salaries, equipment, and dividends comes out of the mortgagor. Why should this expense be saddled on the borrower when the land itself under a landschaft system is sufficient? Land is more permanent than governments or banks. Under the regulations of a landschaft it is, in the long run, a better security than Government bonds. On more than one occasion landschaft bonds have sold at higher figures than the bonds of the Imperial German Government. They are holding their own during the present war. They mobilize the land in such way as to make it a liquid, realizable asset without the necessity of the intervention of a bank. Then why have a bank?

But, it may be asked, what is the lowest market rate for money in the United States? Practically $4,000,000,000 are lent to savings banks in this country at less than 4 per cent. New England depositors have loaned them over a billion and a half dollars at 2.9 per cent; New York depositors, nearly a billion and three-quarters at 3.75 per cent. Look at the railroad and municipal bonds and observe the billions lent on long time at 4 and 5 per cent. The sixty-four billions represented by the capital of all corporations doing business in this country in 1914 brought a net average return of only 4.3 per cent. Insurance actuaries base all their calculations on the assumption that 4 per cent is the highest average income money may permanently bring.

Do you say that money is not available for loans running 40, 50, or 75 years? The insurance companies are always hunting for safe investments of this kind, and so are those who wish to leave their funds to their children, or for benevolent purposes, in the safest and most lasting form. The banks are looking for securities that may be readily cashed in the open market. In Germany the landschaft bond circulates in the business world like a Government bond, note, or coin of the realm, and commands instant negotiability. In the bill I have introduced for a landschaft system in the United States I have deemed it best to limit the maximum life of landschaft bonds to 50 years, as I believe that period sufficiently long for all practical purposes.

Do you say that what German farmers have been doing for a century and a half we can not do? Has not the soil that supports 100,000,000 people a permanent value, a value that must grow as these millions multiply? May we not devise a cooperative, nonprofit system of ascertaining the exact productive value of this land and base sound securities on it, representing 50 or 60 per cent of that value, especially when Germany's record of 147 years is before us?

The population of some landschaft districts in Germany runs from 500,000 to 7,000,000; the number of acres from 3,000,000 to 18,000,000, in round figures.

The landschaft bond is a charge against no particular parcel of land, but against the society in general, with the privilege of exercising, if necessary, all its rights against individual members and their lands. The remedy of a creditor is the right to compel the exercise of the landschaft's power of assessment, and not a suit against the individual landowner.

I notice that almost universal error prevails in this country as to the character of the liability of the members of the landschaft. It is generally supposed that each member is unlimitedly and personally responsible for all of the obligations of the landschaft. That is no more true than it is true in the case of a landowner in a school district or in a drainage district. The liability is merely a collective liability subject to the right of the central authorities to levy the necessary annual assessments for interest and sinking-fund payments.

I wish to direct especial attention to this widely misunderstood feature of the landschaft—the feature of collective liability. In reality there is nothing new, strange, or untried about this feature to the American farmer. It is practically the same kind of mutual, collective liability that obtains in the American school, drainage, and other improvement districts.

Let us consider, for example, the school-district law of Texas. It has the following provision as to liability:

> When the commissioner's court shall provide for the issuance of bonds, and each year thereafter so long as the bonds or any of them are outstanding, said court shall levy a tax not to exceed 25 cents on the $100 valuation of taxable property of the district, sufficient to pay interest on the bonds and to produce a sinking fund which, together with the interest thereon when placed at interest, shall be sufficient to pay the principal of the bonds at maturity. * * * After said bonds have been issued and sold and said tax levied it shall not be lawful to hold an election to determine whether or not said tax shall be discontinued or lowered until the bonds with interest thereon have been paid, nor can the limits or boundaries of the district be changed.

The drainage-district law of Texas is as follows in this regard:

> Whenever any such district-drainage bonds shall have been issued, the commissioners shall levy and cause to be assessed and collected improvement taxes upon all property, whether real, personal, mixed, or otherwise, subject to taxation within the limit of such district, and sufficient in amount to pay the interest on such bonds with an additional amount to be placed in a sinking fund, sufficient to discharge and redeem said bonds at their maturity.

So the landschaft, or land district, applies practically the same principle of liability already applied in the United States by the school district, the drainage and improvement districts.

In fact, the land-district system is less rigorous as to liability than are some of the State laws as to school or drainage districts in this country. It is my information that in some States a bondholder may sue any landowner within a school district and subject his entire property to the payment of the bond. All that the holder of a landschaft bond can do is to invoke the landschaft's right of proportionate assessment against all the lands in the landschaft.

In still another respect the land district, or landschaft, is less rigorous than the school or drainage district. In the latter two all the landowners in a district may be compelled to join and all the land subjected to taxation if a certain proportion

of the resident landowners so vote. In the former membership is entirely voluntary.

Surely a system like this is entitled to serious study.

American school, drainage, and other improvement districts are obtaining money to-day by virtue of a principle of operation strikingly similar to that of the landschaft, at rates under 4 and 5 per cent. Current quotations show offerings of the bonds of such districts as follows:

	Rate.	Maturity.	Yield.
Detroit, Mich., school	4	Apr. 2,1924	3.85
Milwaukee, Wis., school	4½	Jan. 1,1926	3.90
Taunton, Mass., sewer	3½	June 1,1932	3.90
Aberdeen, S. Dak., school	4½	Feb. 1,1930	4.30
Kaw Valley, Kans., drainage	4½	July 1,1936	4.42
Jacksonville, Fla., sewer	5	Nov. 1,1945	4.15
Long Beach, Cal., sewer	5	Serial,1923-52	4.40
Dayton, Ohio, public improvement	4½	Mar.1,1926-46	3.95
Detroit, Mich., sewers	4	July 1,1944	3.85
Shreveport, La., waterworks and sewers	4¾	July 1,1939-54	4.30

If the farm-mortgage bond is to find universal and unquestioned acceptance in the United States, there must be universal faith in the method and management of the landschaft. The investing public must have easy opportunity to know and understand its working. Manifestly, therefore, there must be in the United States a Federal head for the landschaft system and a uniform basis of operation throughout the Nation. To have each of the 48 States form a landschaft or landschafts of its own without a directing Federal center is to deprive the bond of instant and general negotiability. A uniform, accurate, and modern system of title registration is essential throughout the country. This is also essential if the mortgage-bank proposal of the Joint Committee on Rural Credit is to work satisfactorily and generally. And yet the Senator from Florida [Mr. FLETCHER], in a recent speech in the Senate in defense of the joint-committee bill, the so-called Hollis-Moss bill, said that the landschaft system would never be workable because of our various State laws respecting registration of title, homestead exemptions, foreclosure proceedings, right of redemption, and the like, which he said no Federal law could change.

The land-bank bill prepared by the Joint Committee on Rural Credit, the Hollis-Moss bill, has the following to say in this connection:

SEC. 32. That it shall be the duty of the farm-loan commissioner to make examination of the laws of every State of the United States and to inform the Federal farm-loan board as rapidly as may be whether in his judgment the laws of each State relating to the conveying and recording of land titles, and the foreclosure of mortgages or other instruments securing loans, as well as providing homestead and other exemptions and granting the power to waive such exemptions as respects first mortgages, are such as to assure the holder thereof adequate safeguards against loss in the event of default on loans secured by any such mortgages.

Pending the making of such examination in the case of any State, the Federal farm-loan board may declare first mortgages on farm lands situated within such State ineligible as the basis for an issue of farm-loan bonds; and if said examination shall show that the laws of any such State afford insufficient protection to the holder of first mortgages of the kinds provided in this act, the said Federal farm-loan board may declare said first mortgages on land situated in such State ineligible during the continuance of the laws in question. In making his examination of the laws of the several States and forming his conclusions thereon, said farm-loan commissioner may call upon the office of the Attorney General of the United States for any needed legal advice or assistance, or may employ special counsel in any State where he considers such action necessary.

At the request of the executive of any State, the Federal farm-loan board shall prepare a statement setting forth in what respects the requirements of said board can not be complied with under the existing laws of such State.

It is evident that this section of the Hollis-Moss bill is framed in an endeavor to remove the very difficulties which the Senator from Florida said would confront the landschaft system. As a matter of fact, these obstacles are as much in the way of the land-bank system of the joint committee as they are in the way of the landschaft proposal. Indeed, they are less in the way of the latter, because it is possible to have a landschaft in a State without changing the language of the constitutional homestead exemption. All that is necessary is to amend the section of the State constitution authorizing school or drainage or other improvement districts by adding a provision for land districts, with power in certain authorities to levy the necessary assessments in the shape of taxes. On the other hand, it is a fact, much to be regretted, that the homestead exemption in some States is an impassable barrier to the general operation of the Hollis land-bank bill, or any other land-bank proposition, without a constitutional amendment, almost impossible to secure.

The Senator from Florida [Mr. FLETCHER] made another assertion regarding the landschaft which was still more amazing. He said that the power of foreclosure without resort to the courts, a power essential to the highest effectiveness of the landschaft, but no more indispensable to it than to a drainage or school district, could not be exercised in this country without changing many State constitutions and the real estate mortgage laws of the States, and he added that we in this generation would never live to see the day when such a system could be established in the United States. And yet, Mr. President, it is a fact of common knowledge that in most of the States of the Republic to-day real estate mortgages may contain perfectly legal clauses enabling the mortgagee to enter upon, take, and sell the mortgaged land, without resort to a court, in the event of a default. In that monumental legal work, the Cyclopedia of Law, volume 26, page 1449, we find the following language:

A power of sale in a mortgage or deed of trust, when properly exercised, enables the party in interest to effect a complete foreclosure of the mortgage by entirely ex parte proceedings, without submitting his rights to a court of law or equity and without invoking the aid of such a court.

Mr. SMOOT. Mr. President, that is such a remarkable statement, this being the first time I ever heard it made, that I should like to ask the Senator from Texas in what State such proceedings could take place?

Mr. SHEPPARD. As I understand, in most of the States. I am quoting from the Cyclopedia of Law, one of the best compilations of existing legal knowledge. I was quoting from that publication when the Senator interrupted me. Let me conclude the quotation.

Mr. SMOOT. Certainly.

Mr. SHEPPARD. And for the Senator's benefit I want to repeat what I have read, because it is not generally known. It is supposed by some that the foreclosure of a mortgage requires certain court proceedings in all cases, and this has been supposed to be one of the barriers against the successful operation of the landschaft system. Now, let me repeat the quotation.

Mr. TOWNSEND. Mr. President, may I ask the Senator, when he is doing that, also to explain how that is accomplished and how the mortgagee takes possession of the property?

Mr. SHEPPARD. Let me finish the quotation. It is as follows:

A power of sale in a mortgage or deed of trust, when properly exercised, enables the party in interest to effect a complete foreclosure of the mortgage by entirely ex parte proceedings, without submitting his rights to a court of law or equity and without invoking the aid of such a court.

A power of sale in a mortgage or deed of trust, authorizing foreclosure by advertisement and sale without resort to the courts, is not contrary to public policy or the policy of the law, but, on the contrary, is perfectly legal and valid, except in a few States where the States expressly forbid the exercise of such powers and require all foreclosures to be effected by judicial proceedings.

Surely, it will be a comparatively easy task to have the few States which do not now provide for summary foreclosures make such changes as will permit it, if it should be deemed essential.

Mr. SMOOT. Mr. President, if the Senator will yield to me for a moment, has the Senator looked up the facts in the matter and does he believe that that statement is a correct statement of conditions generally in the States?

Mr. SHEPPARD. I certainly do; yes, sir.

Mr. SMOOT. Does the Senator know how the title is secured by the man foreclosing the mortgage in the absence of court proceedings?

Mr. SHEPPARD. That is effectuated by certain advertisements being prepared and attached to the courthouse door or some other public place or placed in the press. After publication for a given length of time the party has a right to enter upon the land and sell it or reduce it to his own possession.

Mr. SMOOT. I would consider such a title very defective.

Mr. TOWNSEND. Mr. President, I think the Senator from Texas is correct about that. In most of the States, at least in Michigan, there are two provisions for mortgage foreclosure, one statutory and one in chancery. The statutory foreclosure statute provides that when there is default made, by certain advertisements in the press for a given length of time a sale can be made, but the mortgagee can not take possession of the property until a fixed statutory period has elapsed, during which time the mortgagor or his assigns have a right to redeem by paying the costs and the mortgage and interest up to date of redemption. I have not followed the enactments of the Michigan Legislature during the last dozen years as closely as I ought to have done perhaps, and it is possible that some changes in our statutes relative to mortgage foreclosures have been made; but what I have stated above was true when I was in the active practice of law.

Mr. SMOOT. I should like to ask the Senator another question. How does the person foreclosing the mortgage in the way suggested by the Senator get possession of the property?

Mr. TOWNSEND. He can take possession under the statutes. He places the writ in the hands of the sheriff, and can

be put in possession, although I wish to say to the Senator—I do not know whether his inquiry goes as far as that—that eventually, if there is resistance to his taking possession, court proceedings would be required.

Mr. SHEPPARD. Exactly. That would be unavoidable, and it would no more affect the success of the landschaft bond than the success of the school bond or the drainage bond. Of course, as I have said here, I do not consider the summary foreclosure power absolutely indispensable to the operation of the landschaft, although it would be necessary to the highest effectiveness of any system of rural credits based on land. Even if it were in force, it would not ordinarily be exercised.

Mr. SIMMONS. Mr. President, I think the authorities cited by the Senator from Texas state the law accurately, at least as it exists in many of the States of the Union, certainly in my State, and I think in most of the Southern States.

The statutory law in most of these States provides for summary foreclosure under the terms of the mortgage, and if there is default the property may be advertised for a given length of time and sold. The purchaser at the sale acquires the title; and, therefore, when the Senator says that the title can be acquired through the exercise of this statutory power of sale, he is absolutely correct. It is not necessary to resort to the court of equity in such States in order to secure transfer of title; but even in such States it would be necessary to invoke the process of the court for the purpose of getting possession of the property in case of resistance by the mortgagor.

Mr. SHEPPARD. I think that is entirely true.

Mr. SIMMONS. Yes; I think that is the law. In my State the mortgagee may become entitled, even before there is default, to the possession. That power, however, is very rarely exercised, and the mortgagor is permitted to remain in possession until there is default and until there is a foreclosure proceeding under the powers contained in the mortgage or by the court.

I think the real difficulty is that pointed out by the Senator from Michigan in his inquiry as to how the purchaser would get possession, after he had acquired title, without going into court.

Mr. SHEPPARD. But the same objection would be an obstacle in the way of any land-credit system, and I think it could be avoided or overcome.

Mr. SIMMONS. Undoubtedly.

Mr. McCUMBER. Mr. President——

Mr. SHEPPARD. I yield to the Senator from North Dakota.

Mr. McCUMBER. I should like to suggest to the Senator that I do not think we need have any fear in the matter of obtaining title or possession. This statutory method of foreclosure by advertisement is the common method in most of the States; and, if the procedure is regular, at the expiration of one year a deed will issue, and that entitles the purchaser to immediate possession. In most States he will not have any right of possession until the year of redemption has expired; and no one would attempt to prevent his possession or possessory right after obtaining his sheriff's deed, or the deed that follows a foreclosure, unless there was irregularity in the proceedings. It is the usual method adopted.

Mr. SHEPPARD. The Senator is right.

The next question is how may control be centered in a Federal body, and how may a uniform system reach all the States? The bill I have introduced provides that Congress shall organize a national rural-credit institute whose original jurisdiction shall be the District of Columbia and the territory subject to the direct sovereignty of the United States, and whose first purpose is the establishment of landschaft laws in such jurisdiction. The power of Congress to do this can not be questioned. The institute is composed of seven members, and is a body corporate with usual corporate powers. The members are to be farmers and rural-credit experts. They are to be paid by the Government and are to be impartial umpires between the societies and the investing public.

They are to devise model charters and by-laws for local units or chapters, known as landschafts, in the District of Columbia, and so forth. They are to recommend to Congress such land and mortgage laws as would be essential to the successful operation of a landschaft in the District of Columbia, and so forth. The accomplishment of this much would be worth the expense of organizing the institute and providing it with the means of investigation and study. With model charters and model laws in the District of Columbia, and so forth, the system would be made plain to the American people. It would not be necessary for the landschaft to be actually organized in the District, but the value of the proceeding would lie in the adoption by Congress of certain laws for the District that would provide a model system as an example for the country.

Mr. TOWNSEND. Mr. President, may I ask the Senator whether this bill is intended to cover mortgages on other than farm lands?

Mr. SHEPPARD. It is not.

Mr. TOWNSEND. How would it be operative in the District of Columbia, then?

Mr. SHEPPARD. I have just said it would not actually operate in the District, but that we could at least have here the necessary land laws and organization laws for a model landschaft for the information of the rest of the country.

Furthermore, the institute is authorized to apply to the States for permission to conduct its business of operating landschafts within their borders. Here we are well within the limit of precedent and authority. Many corporations organized in the District of Columbia are admitted to do business in the States under the laws of the original charter and with governing headquarters at Washington. If a State admits the national rural credits institute to operate within its borders, that State puts upon the institute the stamp of its own sovereignty and clothes it with power to act. My bill provides, however, that the institute shall enter only such States as have adopted such laws as will make a landschaft system feasible. Establish this institute in the District of Columbia, equip it with necessary means, let it demonstrate exactly what a landschaft is and what it signifies, what land and mortgage laws are needed to make it feasible, and the people will take up the cause. No obstacle should be allowed to stand in the way. I shall not go further into detail at this time. I append a copy of my bill to these remarks. Do you ask, Will the landschaft work? I say it has worked and will work, because it rests on scientific and everlasting principles. Let this be remembered: The earliest hour at which pure, cooperative land credit, land credit at practical cost, land credit in the cheapest form, may be obtained in the United States is the hour at which the landschaft principle finds adoption.

The next cheapest form of land credit is where the Government itself provides the capital for a land-mortgage bank, selects its officers, superintends its operations, guarantees its liabilities. This institution issues Government-guaranteed bonds based on land mortgages, and the rate of interest on the mortgages is, as a rule, no more than is sufficient to pay the interest carried by the bonds and the expense of operating the bank. When any surplus remains it is either paid into the Government treasury or devoted to public works. There are 16 of these banks in Germany. They are created by the States or Provinces and not by the federal Government. They had loans outstanding on mortgage security in 1909 of nearly $250,000,000. It is a fair estimate that more than half of this amount was lent on farm mortgages, the remainder on urban.

It will be seen that the Government mortgage-bank system is used to a much less extent in Germany than the landschaft system, which had loans outstanding in 1909 of $850,000,000. The experience of Germany is worthy of exceptional attention, because Germany has carried rural credit to a higher degree of practical success than any other country in the world.

Mr. J. R. Cahill, the eminent English student of rural credit, has the following to say regarding the Government mortgage bank, the private, joint-stock land bank, and the landschaft system as he saw them operating side by side in Germany:

> Not aiming at profits beyond the payment of expenses, although, in fact, considerable sums are usually allocated to public purposes as the result of their operations, they (the Government mortgage banks) grant loans more cheaply than the joint-stock mortgage banks. The majority of the latter do not find it profitable to lend at all upon small properties, and other institutions which possess the advantage of being accessible for small farmers without incurring expense, namely, the public savings banks, not only charge higher rates but may grant only loans subject to recall, and only agree to gradual amortization for a limited portion of their loans. Certain drawbacks are associated with the management and the control of the banks now being considered by the State or public assemblies of districts or Provinces. Thus the necessity of obtaining the sanction of a representative assembly for changing the rate of interest payable on bonds or chargeable on loans, the strict adherence to formal rules (e. g., as regards lending over 50 or other per cent of the assessed value), for whose alteration similar authority is required, may often prove disadvantageous in practice. Other drawbacks inseparable in the popular mind from official administration are also imputed to them; and of course it can not be gainsaid they do not possess the great merit of the mortgage-credit associations, namely, the merit of being organizations of landowners governed by landowners which confine their business to rural mortgages, and are better able to take in consideration all the conditions in arriving at their decisions.

Let us here note the fact that the joint-stock mortgage banks of Germany have little to do with farm mortgages when we consider their total volume of business. Of their nearly three billions of outstanding mortgage loans in 1911, only about 6 per cent, or $160,000,000, represented farm loans.

The joint committee on rural credit, authorized by the Sixty-third Congress, has reported a bill establishing a land-bank

system, consisting of 12 Federal land banks under the supervision of a Federal farm-loan board at Washington. Each bank is to have a capital of not less than $500,000, and loans are made to farmer borrowers through local associations of at least 10 members, with limited or unlimited liability. Each borrower must take stock in the local association to the extent of 5 per cent of the face of his loan, and the association subscribes that much to the stock of the land bank of the district in which the association is located. The banks issue bonds based on the mortgages as collateral security, and the loans run from 5 to 36 years, the semiannual interest payments of the borrower covering amortization. Behind each bond is the security of all the mortgages held by the land bank, and each bond is guaranteed by all the land banks, jointly and severally, as well as by a farm-loan association. The interest rate paid by the borrower must not be more than 1 per cent higher than the interest due on the bonds and must not exceed the rate of 5 per cent. The bonds are to be exempt from Federal, State, and local taxation.

The capital stock of a Federal land bank may be subscribed for and held by any individual, firm, corporation, national farm-loan association, or the Government of any State or of the United States. The bank does not become permanently operative, however, until at least $100,000 of stock shall have been subscribed by the farm-loan associations. Stock not subscribed for within 90 days after books are open is to be subscribed by the Federal Government, such stock to be retired as subscriptions come in from other sources. Six of the nine directors of the bank are to be chosen by farm-loan associations and the remaining three by the Federal farm-loan board.

The fact that owners of stock outside of the farm-loan association will have no voice in the management makes it practically certain that little capital will be subscribed by individuals, firms, or corporations. The stock will be subscribed principally by the local associations and the Government, and, ultimately, after the Government stock is retired, by the associations altogether. If this Federal land-bank proposition finds anything like general acceptance among our 6,000,000 farmers, it will mean the formation of hundreds and thousands of local associations, each with different sets of appraisers, other officials, and so forth, in addition to the appraisers, officials, and so forth, of each Federal land bank and also of the Federal farm-loan board. It may well be asked why such elaborate and expensive machinery is necessary when the land itself, under the landschaft system, furnishes adequate security without the intervention of a bank or subscription of capital, and with a far smaller number of associations, associations whose minimum membership, if we consider the example of Germany, would be in the neighborhood of half a million farmers.

In the landschaft system the liability of members would not extend beyond the landschaft in which they were borrowers. The bill of the joint committee makes the local associations responsible to the extent of their stock in a land bank for the obligations of every other land bank in the United States.

The land banks of the joint committee bill may make mortgage loans for the following purposes and no other: (1) To provide for the purchase of a farm home; (2) for the purchase of equipment, fertilizers, and live stock necessary for the proper and reasonable operation of the farm; (3) for buildings and for the improvement of farm lands; (4) for liquidation of the indebtedness of the borrower existing at the time of the organization of the farm-loan association or subsequently incurred for the purposes above mentioned. In the landschaft no questions are asked as to the disposition of the money loaned, the principal obligations resting on the borrower being that he shall make interest and amortization payments promptly and keep his land from deteriorating.

Mr. McCUMBER. Mr. President, may I ask the Senator a question right there?

Mr. SHEPPARD. Certainly; I yield to the Senator.

Mr. McCUMBER. What provision has been made in the bill which has been introduced by the joint committee to compel obedience to the requirements of the bill in the expenditure of this money? Suppose a loan is made, and it is declared that the loan is made for the purpose of purchasing cattle and horses and machinery, or to pay a portion of the cost of the land. What provision is made to compel the expenditure along that line? Is it not a fact that after the money has been paid over to the farmer he can use it as he sees fit, so far as the bill is concerned?

Mr. SHEPPARD. The distinguished coauthor of the bill is here. I will ask him to answer the question.

Mr. HOLLIS. Mr. President, it does not seem to me desirable at this time to engage in a general discussion of the rural-credits bill. I think it will be up before the session closes, and then I shall be very glad to explain it. I would rather not precipitate a discussion at this time. I will say, however, in answer to the distinguished Senator from North Dakota that if the money borrowed is devoted to any other purpose than that to which the borrower pledges himself to devote it, the mortgage thereupon becomes in default, and may be foreclosed.

Mr. SHEPPARD. I am under many obligations to the Senator from New Hampshire for answering that question.

It should be noted that some of the purposes to which loans are restricted in the land-bank system, such as live stock, tools, and so forth, do not properly belong to the domain of long-term mortgage credit, but rather to that of short-term, personal, current credit.

Again, I ask why should we wander into an unknown and untried field when an example lies before us, sustained and vindicated by the experience of 147 years, especially when a similar clarification of recording systems and land laws throughout the country is essential to both methods?

Let me say here that the joint committee bill also provides for the organization of a private, joint-stock mortgage bank conducted for profit, with stock subscribed by private parties, and with power to lend on mortgages to individual farmers.

The able gentlemen who compose the joint committee have labored in this matter with unusual earnestness and zeal. They have advanced what they believe to be a solution, in part at least, of the problem of land credit in the United States. Without offering any criticism of the faithful work of the joint committee, I express it as my personal conviction that they have erected an unnecessary banking superstructure on a foundation of land-mortgage societies which, properly organized, would be sufficient of themselves. What would be thought of a proposal that the Pennsylvania Railroad Co. establish and equip with its own capital a bank for the purpose of guaranteeing and selling the company's bonds? A land district, properly organized and operated, needs no bank to guarantee it. Suppose it should be suggested that the land owners in the school districts of the United States take stock in a bank for the purpose of guaranteeing and selling their bonds and become responsible for a number of similar banks throughout the country before they could borrow money for school purposes. Would any school district be organized?

The bill of the joint committee and the landschaft bill which I shall append hereto are intended to provide the farmer with capital for permanent improvements and represent what is known as long-term mortgage credit. The other fundamental need of the farmer is for capital with which to finance the current processes of production, and is covered by what is known as short-term personal credit.

The joint committee has presented no bill on this latter phase of rural credit, but has asked for further time in order to consider a suitable measure. I have introduced a bill along this last-mentioned line—a bill embodying most of the principles taught by Raiffeisen, the great teacher and philosopher of this kind of credit, a bill which will have the effect of reducing interest rates on loans for current farm processes to the lowest practicable point. I shall probably discuss this bill at a later time. It enables farmers in a given district to organize a rural national bank with a capital as small as $500, with privileges of existing national banks, such as exchange of bonds for circulating notes, rediscount for suitable paper, Federal supervision, examination, and so forth. Let me say in this connection, that the thousands of Raiffeisen rural banks in Germany, with an average capital of $400 each, lent to German farmers in 1912 about $500,000,000 at 3 and 4 per cent, and on such time as enabled the agricultural processes for which the money was lent to complete themselves and reimburse the rural banks.

Mr. President, the landschaft or land district system is the safest, most scientific, most practicable, and most effective system of land credit in existence. It obtains credit for the farmer at the lowest market rate and the lowest expense. In my judgment, this Congress will neglect the supreme opportunity and most urgent need of the hour, if it does not at least provide for the establishment of a model landschaft law for the District of Columbia by experts in order that the American people may see and know exactly what it is, and for its extension to the States in the manner deemed most advisable.

Let me add that my bill for a landschaft system has been brought to the attention of two of the world's best authorities on rural credit, Wollemborg and Lorenzoni, both of Italy. Lorenzoni says that the bill is on thoroughly sound lines. Wollemborg's comment is as follows:

I have read the text of this bill. I am unable to give an opinion on matters of detail and points of procedure as I am unacquainted with local conditions and with the psychology of the farming population to whom the measure is to apply.

I can, however, say that the bill is based on sound economic principles and faithfully follows the main outlines of the landschaft system

of cooperative mortgage credit which has been in existence for over 150 years in Germany, with an unbroken record of success.

As I have already stated, in my opinion this system of long-term land credit is best suited to comply with the requirements of the average American farmer, for it is suited to land-owning farmers, owning medium or large sized farms, and requiring for their further development loans for considerable amounts, at a low rate of interest and for a long term of years, to be repaid by gradual amortization.

LEONE WOLLEMBORG.

My bill (S. 3704) for a landschaft system now follows. I ask permission to set out the bill in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SHEPPARD. As here presented it contains certain amendments which I have added since the bill was originally introduced and which do not appear in the original bill.

The bill is as follows:

A bill to establish a landschaft system of rural credit in the United States.

Be it enacted, etc., That in order to aid in effecting the purposes of this act the positions of Assistant Secretary of Agriculture for rural credit and Assistant Secretary of the Treasury for rural credit are hereby authorized and established.

SEC. 2. That the Secretary of Agriculture, the Secretary of the Treasury, the Assistant Secretary of Agriculture for rural credit, the Assistant Secretary of the Treasury for rural credit, and three other citizens of the United States are hereby constituted a body corporate, to be known as the national rural credit institute, with power to operate under the terms hereof, and to form local units or chapters, known as landschafts, in the District of Columbia and other territory subject to the direct sovereignty of Congress and in such States of the United States as will admit the institute for the purpose of exercising its powers within their respective limits: *Provided*, That said States, in the judgment of the institute, shall have enacted laws of such character as will permit the successful operation of a landschaft.

SEC. 3. That as a corporate person or body corporate the institute shall have power to sue and be sued, to complain and defend in any court of law and equity as fully as natural persons, to purchase, hold, and convey real estate, to make contracts, and to do all the acts and things essential to the purposes of this act.

SEC. 4. That the Assistant Secretary of Agriculture for rural credit, the Assistant Secretary of the Treasury for rural credit, and the three other members of the national rural credit institute shall be citizens of the United States, and shall be appointed by the President of the United States as soon after the passage of this act as possible, by and with the advice and consent of the Senate, for terms of four years, unless sooner removed by the President. At least four members of the institute, outside of the Secretary of Agriculture and the Secretary of the Treasury, shall have been principally engaged in farming for 10 years prior to their appointment, and at least one member shall be an expert student of the subject of rural credit.

SEC. 5. That vacancies shall be promptly filled by the President, who shall also have the power of removing any member whose conduct may be prejudicial to the purposes of this act. The members of the institute, outside of the Secretary of the Treasury and the Secretary of Agriculture, shall give their entire time to the duties by this act imposed.

SEC. 6. That members of the institute, outside of the Secretary of the Treasury and the Secretary of Agriculture, shall receive a salary of $7,500 per year. The Secretary of Agriculture and the Secretary of the Treasury shall act as chairman of the institute alternately, in the order named, each serving a year at a time.

SEC. 7. That the institute may adopt such methods of meeting and procedure as it may deem advisable. It may provide for such supervision of landschafts as it may deem essential to their success. It may employ such clerical and expert assistance as it may consider necessary, said employees to be appointed after passing examinations prepared by the Civil Service Commission and the institute.

SEC. 8. That the institute shall organize no landschaft in the District of Columbia until Congress shall have enacted such laws relating to title and mortgage registration, to summary powers of foreclosure, administration, and so forth, and such other laws as are essential to the effective operation of the institute and its landschafts. Neither shall the institute apply for admission to enter a State until said State shall have enacted such laws. The institute may make such suggestions to Congress and the States as it may deem proper in this connection. In preparing such suggestions it may make such study of the questions involved as it may deem desirable, making such expenditure for this purpose out of the funds at its command as it may consider proper. The institute may also conduct a campaign of education among the people of a State it proposes to enter in order to familiarize them with the nature and practical working of a landschaft.

SEC. 9. That all expenditures and other actions of the institute shall be determined by a majority vote of all its members, and expenditures shall be made through vouchers authorized by such majority vote and countersigned by the chairman and one other member. The Secretary of the Treasury shall pay from the Treasury the amounts as indicated and directed by vouchers so countersigned. A majority of the members of the institute shall constitute a quorum for the transaction of business.

SEC. 10. That the institute shall have its principal seat at Washington, D. C.

SEC. 11. That the institute shall have power to supervise, control, and issue charters for local units or chapters, known as landschafts, in the District of Columbia or elsewhere, under the conditions before mentioned, which charters shall contain the following requirements and such others in harmony therewith as the institute may deem proper:

SEC. 12. That a landschaft shall be composed of all farm owners within a designated district who desire to secure long-term loans on the security of their farms.

SEC. 13. That a district may be subdivided and resubdivided into lesser areas, each with a local administration.

SEC. 14. That no one may join except an applicant for a loan, and membership ceases on repayment of loan.

SEC. 15. That the voting strength of a member is determined by the number and amount of his mortgages.

SEC. 16. That the voting is done in circles in the smallest subdivisions.

SEC. 17. That members elect the superintendents of the circles and also delegates to sit in convention for selecting nominees for other offices and to compose the general meeting.

SEC. 18. That under the supervision of the institute the business of a landschaft shall be conducted and controlled by the directorate, the council of administration, and the general meeting, the duties of these bodies to be specifically set out in the charter.

SEC. 19. That the directorate of a landschaft comprises a president, two vice presidents, an attorney, a secretary, and a treasurer. All officers must be members and therefore borrowers, except the attorney, the secretary, and treasurer, who shall be salaried officials without vote. The central officers are appointed by the institute on the nomination of the members acting through delegates.

SEC. 20. The directorate shall take such steps as in its judgment may be necessary to secure caretakers, cultivators, or managers of mortgaged farms taken over by default. Compensation may or may not be allowed.

SEC. 21. That a landschaft may issue debentures and exchange them for annuity contracts secured by mortgages executed by members in its favor on farms within its territory in consideration of loans made to them.

SEC. 22. That its funds consist of a sinking fund created by repayments by borrowers and used for redeeming debentures and a reserve accumulated from entrance fees, fines, or a portion of profits and maintained only at a size sufficient to guard against contingencies.

SEC. 23. That the contract between the member and the landschaft is an agreement to pay an annuity to the landschaft as long as membership continues; that is, until the loan is paid.

SEC. 24. That the annuity consists of the interest at the agreed rate and usually one-half or one-fourth of 1 per cent of the principal, both calculated on the full, original amount of the loan, together with a contribution to the expense of doing business.

SEC. 25. That in addition to these charges, which are paid annually or semiannually, the borrower may be fined for defaults or for infraction or disregard of rules and regulations, while he must faithfully perform his duties as a member under penalty of being expelled and having his loan recalled. Mortgaged lands shall be inspected as often as may be deemed necessary by officials of the landschaft and of the institute. If said lands are found to have depreciated below two-thirds of their appraised value the landschaft shall have the right to recall a corresponding amount of the loan.

SEC. 26. The borrower shall have the right to pay off the loan at any time he may choose before its expiration.

SEC. 27. That a first mortgage on farm land is taken to secure the contract, and the amount of the loan must not exceed 50 per cent of the value of mortgaged property.

SEC. 28. That the value of the land is to be based on its agricultural earning or producing power, and no appraiser or committee of appraisal shall render a final decision until after a public hearing in the vicinity of the land to be valued, duly advertised, at which all parties desiring to testify may be heard. In the notices of the hearing the appraiser or committee of appraisal shall state their own valuation. The directorate shall designate the appraiser or committee of appraisal.

SEC. 29. That a synopsis of all hearings as to appraisal shall be filed with the directorate and held by them for such examination as the institute may desire to make before mortgage is issued.

SEC. 30. That an applicant has been admitted to membership and his contract and mortgage have been duly executed and approved by the landschaft and the institute, the landschaft gives him its own debentures, after same shall have been approved by the institute, of the same amount and interest rate as his loan. Before approving a mortgage the institute shall have the right to satisfy itself through its own special appraisers and officers that the appraisal on which it is based is correct and that all regulations have been observed, although a separate appraisal by the institute of each mortgage is not made imperative. All mortgages shall be held by the institute in the Treasury of the United States and shall not be surrendered except as provided by this act and regulations of the institute in harmony therewith, and only when the institute is assured that the landschafts are complying fully with the provisions and purposes hereof.

SEC. 31. That the borrower sells the debentures which he obtains by this exchange wherever he can get the best price, or the institute may maintain a selling bureau to enable him to market the debentures, in which event it acts merely as the seller's agent, and may charge a commission. All bonds in the possession of the institute shall be kept in the Treasury of the United States.

SEC. 32. That the annuities and other receipts are carried to the sinking fund or to the reserve immediately after they are paid by the borrowers. A separate account is kept in the sinking fund for each borrower and entries are made in it of his payments and defaults, and also of his portion of the profit or loss of the landschaft. When the balance in his favor equals the sum originally borrowed his loan is considered paid. Until this equivalent is obtained the borrower continues to be indebted to the landschaft and his mortgage remains intact of record.

SEC. 33. That according to law the filing of the mortgage converts the annuity contract into a rent charge on the land, and until finally canceled it is notice to the world that the landschaft has a valid prior claim on the land for whatever appears on its books against the borrower or his successors at law. And no landschaft shall be organized until the law of the jurisdiction in which it is to be located shall so provide.

SEC. 34. That borrower has option to designate rate of interest, as well as denominations of debentures issued to him, and the interest rate of the debentures must correspond with that of his loan.

SEC. 35. That debentures shall be of small as well as large denominations in order to attract small investors. Rate of interest shall be 3, 3½, 4, and 4½ per cent.

SEC. 36. That debentures specify that interest is to be paid annually or semiannually, and shall run for 35, 40, or 50 years at the option of the borrower, or as the institute may prescribe. They do not attach either as a fixed or floating charge against the mortgages. They are acknowledgments of indebtedness of certain amounts. They are a liability against the sinking fund and the members.

SEC. 37. That accumulations in the sinking fund are not for investment but for redemption of the debentures exchanged for loans.

SEC. 38. That withdrawals from sinking fund may be permitted after borrower has paid off a certain portion of a loan. In this way the landschaft grants extensions.

SEC. 39. That borrowers may make voluntary payments to sinking fund. Acceptance of cash or debentures of the landschaft required

when presented by borrower in payment of his dues to landschaft. By increasing his credit balance borrower pays off his loan in whole or in part.

SEC. 40. That if a member defaults he takes away just so much money available for retiring debentures and liquidating liabilities of sinking fund. The landschaft covers the impairment by apportioning the loss among all members and deducting it from their credit balances in their respective accounts and by the exercise of the power of proportionate assessment. The landschaft may have the right of summary foreclosure and seizure, through proper clauses in the mortgages or by appropriate legislation. Only after all remedies have been exhausted against a defaulting member shall the other members be held for any unpaid balance, unless the interests of the landschaft demand prompter action by immediate assessment of members in order to meet immediate liabilities. All members shall have the right to test in the ordinary courts of justice the question as to whether they have violated the laws and regulations of the landschaft and are properly subject to its penalties. Likewise officials of a landschaft or the institute may invoke the power of the ordinary courts of justice to enforce the authority conferred by this act. Any member may appeal to the ordinary courts of justice to compel the officials of a landschaft or the institute to perform the duties herein required. Members shall agree, through proper clauses in mortgages, to summary foreclosure and seizure proceedings after notice for a specified time.

SEC. 41. That when deficiencies become chargeable against members such deficiencies shall be recoverable by a levy on members in proportion to voting power. Creditors of a landschaft, in the event of any default by it, shall have the right by proper legal procedure to compel the exercise of its power to levy assessments in proportion to voting power, against the members thereof, until the obligations held by said creditor shall have been discharged.

SEC. 42. That every six months or every year debentures are to be redeemed up to amount of cash on hand in sinking fund, if obtainable in the market.

SEC. 43. That the institute may purchase debentures like an ordinary investor, while borrowers may pay their dues with them. Purchased debentures may be reissued, but those turned in by borrowers must be canceled.

SEC. 44. That mortgages always at least equal the debentures, while the sinking fund, composed of repaid loans, is employed only in redeeming or retiring debentures. It can not be invested in new loans, used as a working fund, or diverted in any way from its purpose.

SEC. 45. That all bonds and mortgages shall be engraved by the Bureau of Engraving and Printing according to forms prescribed by the institute.

SEC. 46. That the funds of a landschaft shall be deposited in a depositary named by the institute, to the order of the institute, and all interest payments shall be made by the institute. The institute shall pay the salaries, expenses, etc., of the landschafts in vouchers drawn according to regulations provided by the institute.

SEC. 47. That the institute shall have power, through its representatives, to substitute itself for the officials of a landschaft and to exercise their functions in the event such substitution should become necessary to insure the prompt discharge of a landschaft's obligations.

SEC. 48. That if required by the laws of a State in which it applies for permission to operate, the institute may establish branches in such State to exercise therein the powers of the original parent body and designate representatives to compose said branch.

SEC. 49. That whenever necessary for the purposes of this act the institute shall have power to administer oaths, send for witnesses and papers, and may confer such powers on its own representatives and on the officials and committees of the landschafts.

SEC. 50. That the institute shall investigate the advisability of establishing a life insurance department to aid borrowers in carrying mortgages, and shall make such recommendations to Congress in this regard as it may deem advisable.

SEC. 51. That, to enable the institute to carry out the purposes of this act, the sum of $500,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated. The salaries of the members, as herein provided, shall be appropriated by Congress independently of the said $500,000.

Mr. SIMMONS. Before the Senator from Texas takes his seat, I do not know whether I correctly understood one statement made by him or not. I understood the Senator to say that the homestead provisions in the constitutions of most of the States of the Union were a very serious impediment to the success of the landschaft proposition which he presents or the land-bank proposition which the committee presents.

Mr. SHEPPARD. I so stated as to many of the States of the Union. I also stated how the landschaft could avoid the difficulty.

Mr. SIMMONS. I think the Senator must be mistaken in that statement. I understand that the landschaft association loans money upon real estate mortgages, and where there is a mortgage there is no homestead as against the debt secured by that mortgage. I do not see how the homestead laws could in any way interfere.

Mr. SHEPPARD. I have assumed that the homestead requirements of the States having this exemption were similar to those of Texas, where the homestead idea originated. In the constitution of the State of Texas it is specifically provided that the homestead exemption is not a defense against foreclosure or execution for purchase money or for taxes. The exemption is good against all other obligations, whatever their form. If the constitutions of other States do not go this far, it is all the better for the landschaft principle.

Mr. SIMMONS. Of course the Senator was correct in regard to mortgages in States where the constitution contains a provision of that kind.

Mr. SHEPPARD. I was referring to States having the kind of homestead exemption I have described and to no others.

Mr. SIMMONS. I understand there are very few States in which that provision exists.

Mr. McCUMBER. Will the Senator state how many there are?

Mr. SIMMONS. I can not; certainly not many. And exemption such as the Senator from Texas says obtains in his State would operate to materially diminish the security of the mortgagee, especially so in view of the liberality of commissioners in making homestead allotments. In my State we have a homestead law which provides for an exemption in case of real estate of $1,000 in value. These exemptions are allotted by commissioners who are generally exceedingly liberal to the defaulting debtor and his family.

Mr. SHEPPARD. In my State the rural homestead consists of 200 acres.

Mr. SIMMONS. In my State there is no limitation upon the right to mortgage the homestead. Of course, where the owner is a married man it requires the husband and wife to join, but where the requirement of the statute with respect to the execution of the paper is complied with, the mortgagor parts, for the purpose of securing the debt, with the entire interest in the land, and there is no homestead as to that particular land against that particular debt.

Mr. SHEPPARD. My statements as to the homestead exemption being an impediment would not be applicable to the Senator's State.

Mr. SIMMONS. And I think that is true as to most of the States of the South.

Mr. SHEPPARD. I am very glad to have the Senator so state. I trust that he is correct.

Mr. SIMMONS. The Senator made another statement which interested me and which, I think, is important. If I understood the Senator he said the landschaft system of Germany is analogous to the drainage systems which obtain in many of the States.

Mr. SHEPPARD. It is.

Mr. SIMMONS. I understand in drainage districts there is an assessment against the land of each one of the freeholders within the area drained. They are each assessed annually, in sums sufficient to pay the annual interest and provide for an amortization fund, and that is collected by the sheriff of the county just as any other taxes are collected. If there is a default, so much of the land is sold as may be necessary to pay the overdue assessment.

Mr. SHEPPARD. Making the security more than sufficient and absolutely sound.

Mr. SIMMONS. The Senator says that the landschaft system or scheme which he proposes will be made up of borrowing landholders.

Mr. SHEPPARD. In the landschaft only borrowers may join, and membership is voluntary. In the school and drainage districts all landowners are compelled to become members if a certain number of the landowners of these districts so vote.

Mr. SIMMONS. And no security holder can foreclose one of these mortgages?

Mr. SHEPPARD. The mortgages are not subject to suit and foreclosure by security holders.

Mr. SIMMONS. They are given to the association to secure the debt to that particular landschaft district?

Mr. SHEPPARD. They are.

Mr. SIMMONS. If there is default in the payment of his annual assessment the proceeding against him for that assessment is analogous to the procedure of a sheriff in a State for the collection of tax?

Mr. SHEPPARD. Such is my understanding.

Mr. SIMMONS. And no more of the land is sold than may be necessary to pay that particular assessment?

Mr. SHEPPARD. The Senator is correct.

INDIAN APPROPRIATIONS.

Mr. ASHURST. I ask that the Indian appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10385) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917.

The VICE PRESIDENT. The pending amendment will be stated.

The SECRETARY. The pending amendment is as follows, on printed page 50: The committee proposes to insert after withdrawing all contained on page 51, down to and including line 16, on page 58:

For continuing construction of irrigation systems on Flathead Indian Reservation in Montana, $750,000 (reimbursable), which shall be immediately available and remain available until expended.

Mr. CURTIS. Mr. President, this amendment has been fully argued and my course will be shaped largely by the vote upon it. I should like to have a quorum present when it is voted upon.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Page	Stone
Bankhead	Hollis	Pittman	Sutherland
Beckham	Johnson, S. Dak.	Poindexter	Taggart
Broussard	Jones	Ransdell	Thomas
Catron	Kenyon	Saulsbury	Thompson
Chamberlain	Lane	Shafroth	Townsend
Chilton	McCumber	Sheppard	Wadsworth
Clapp	McLean	Sherman	Walsh
Clark, Wyo.	Martine, N. J.	Shields	Warren
Curtis	Myers	Simmons	Weeks
Gallinger	Nelson	Smith, Ariz.	Williams
Gronna	Newlands	Smith, Mich.	
Harding	Norris	Smith, S. C.	
Hardwick	Overman	Smoot	

Mr. CHILTON. I wish to announce the absence of my colleague [Mr. GOFF] on account of illness.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll roll. There is a quorum present. The Secretary will read the pending amendment.

Mr. TOWNSEND. May we have the amendment stated?

The SECRETARY. The committee has withdrawn all of the bill beginning with page 51 down to and including line 16 on page 58. Following the matter printed in the bill on page 50 the committee offers to insert the following:

For continuing construction of the irrigation systems on the Flathead Indian Reservation in Montana, $750,000 (reimbursable), which shall be immediately available and remain available until expended.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CURTIS. I offer the following amendment, to follow that item. It has been read once.

Mr. SMOOT. Let it be read again.

The VICE PRESIDENT. It will be read.

The SECRETARY. After the amendment just agreed to insert:

Provided, That the payments for the proportionate cost of the construction of said systems required of settlers on the surplus unallotted land by section 9, chapter 1495, Statutes of the United States of America, entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation in the State of Montana, and the sale and disposal of all surplus lands after allotment," as amended by section 15 of the act of May 29, 1908 (35 Stat. L., 448), shall be made as herein provided: *Provided further*, That nothing contained in the act of May 29, 1908 (35 Stat. L., 444), shall be construed to exempt the purchaser of any Indian allotment purchased prior to the expiration of the trust period thereon from any charge for construction of the irrigation system incurred up to the time of such purchase, except such charges as shall have accrued and become due in accordance with the public notices herein provided for, or to relieve the owners of any or all land allotted to Indians in severalty from payment of the charges herein required to be made against said land on account of construction of the irrigation systems; and in carrying out the provisions of said section the exemption therein authorized from charges incurred against allotments purchased prior to the expiration of the trust period thereon shall be the amount of the charges or installments thereof due under public notice herein provided for up to the time of such purchase.

Mr. WALSH. Mr. President, the Senators from Montana have no objection whatever to the adoption of the amendment.

The VICE PRESIDENT. The question is on the amendment submitted by the Senator from Kansas.

The amendment was agreed to.

The SECRETARY. It is proposed to add, after the amendment which has just been agreed to, the following:

For continuing construction of the irrigation systems on the Fort Peck Indian Reservation, in Montana, $100,000 (reimbursable), which shall be immediately available and remain available until expended.

Mr. CURTIS. Mr. President, I judge, from the vote on the former amendment, that this amendment will be agreed to; but I want to get the facts into the RECORD, so that Senators may know just exactly what they are voting for.

There are 1,938 Indians on this reservation; there are 71,000 acres of irrigable lands allotted, 212,000 acres of nonirrigable lands allotted, 424,800 acres of grazing land, and 15,893 acres of timberland. The Indians are cutivating 1,100 acres. The original reservation consisted of 1,800,000 acres, and 1,300,000 acres were placed on the market. Seven hundred and twenty-two thousand acres were allotted. There has already been expended on this plan $475,686.09, and there has been reimbursed only $80,000.

I think this amendment should be disagreed to; but, in view of the vote on the other amendment, I suppose it will go through. Therefore I offer as an amendment to the pending amendment the amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. At the end of the pending amendment it is proposed to add the following:

Provided, That the proportionate cost of the construction of said systems required of settlers and entrymen on the surplus unallotted irrigable land by section 2 of the act of May 30, 1908 (35 Stat. L., p. 558), shall be paid as herein provided: *Provided further*, That nothing contained in said act of May 30, 1908, shall be construed to exempt the purchaser of any Indian allotment purchased prior to the expiration of the trust period thereon from any charge for construction of the irrigation system incurred up to the time of such purchase, except such charges as shall have accrued and become due in accordance with the public notices herein provided for, and the purchaser of any Indian allotment to be irrigated by said systems purchased upon approval of the Secretary of the Interior before the charges against said allotment herein authorized shall have been paid shall pay all charges remaining unpaid at the time of such purchase, and in all patents or deeds for such purchased allotments, and also in all patents in fee to allottees or their heirs issued before payment shall have been made of all such charges herein authorized to be made against their allotments, there shall be expressed that there is reserved upon the lands therein described a lien for such charges, and such lien may be enforced, or upon payment of the delinquent charges may be released by the Secretary of the Interior.

The VICE PRESIDENT. The question is on the amendment submitted by the Senator from Kansas [Mr. CURTIS] to the amendment:

Mr. WALSH. Mr. President, this amendment is likewise quite satisfactory to the friends of the bill.

The VICE PRESIDENT. Without objection, the amendment to the amendment is adopted. The question is on the amendment as amended.

Mr. WALSH. Mr. President, before the vote is taken, in view of what has been said by the Senator from Kansas [Mr. CURTIS], I think it but right that what was stated by the special commission appointed under the provision of the act of 1914 in relation to this particular project should be read. I beg leave to read a few paragraphs from their report, so that it will appear, as the fact is, that the appropriation is fully justified by the report of a commission appointed under an act of Congress to investigate this particular project. That commission stated as follows:

The work of construction begun by the Reclamation Service on this reservation should be completed at the earliest possible date in order that the allottees may be enabled to derive some income from their irrigable lands and also to save the water rights by construction work and beneficial use.

The report goes on to make some comments on what ought to be done in order to make this project available to the Indians; and at the risk of prolonging the discussion unnecessarily I shall take the liberty to read a few paragraphs, in which the commission set out how these projects could be made altogether useful to the Indians. They say:

In addition to completing the units under construction, we respectfully recommend that work be initiated on the Big Muddy unit at once in order to save for the Indian land the use of the water of Big Muddy Creek, which, in our opinion, is in very serious danger of being lost to the Indians.

The Indians should be encouraged by being furnished farming equipment and competent instructors. Also they should be required to move to and live on their allotments wherever practicable. The superintendent should be firmly supported by the department in his endeavors to compel able-bodied Indians who have equipment to cultivate their land or to become engaged in some useful occupation in order to conserve the interest of thousands of dollars invested in their behalf.

Of the irrigable allotments on the Fork Peck Reservation 62½ per cent are under the proposed Missouri River gravity canal and 325 irrigable allotments under the proposed Big Muddy unit, which is in the extreme eastern part of the reservation, the Big Muddy Creek being the eastern boundary. The land just off the reservation adjacent to the Missouri River and Big Muddy Creek has been settled by homesteaders, and it is therefore imperative that at the proper time steps be taken to protect the water rights of the Indians under these two proposed units. It is understood that the Reclamation Service has filed on the water in the Big Muddy, but unless work of construction is begun within three years from the date of filing the water right of the Indians will be lost. The settlers east of the reservation along the Big Muddy Creek have posted notices of the appropriation of the water in said stream, but as yet have not perfected their title. They are given but 40 days under the Montana State law to begin work of construction in order to retain their water right.

It is a known fact that it requires a capital of from $1,500 to $2,000 for a homesteader to successfully begin operations on land in this western country. An Indian who has had practically no experience can not be expected to farm his land without either capital, implements, or competent instruction.

In order that the Indians may establish themselves on their irrigable allotments it will be necessary that they be properly equipped for farming. It is our opinion that a portion of the funds derived from the sale of surplus land should be made available for the purchase of such stock, equipment, etc., as is needed. Also it is our opinion that in order to effect the sale of this surplus land it will be necessary to have the present homestead laws, in so far as they apply to nonirrigable Indian land opened to entry on this reservation, so amended as to eliminate the requirements as to residence and to allow a filing to be made on 320 acres instead of 160 acres, as now provided by law. Otherwise the lands opened to settlement on the Fort Peck Reservation will not be filed on by homesteaders, and as a result there will not be enough money derived from the sale of the surplus lands to pay for the work that is now in course of construction. Neither will any funds be available with which to equip the Indians for their work.

Aside from furnishing proper implements, seeds, etc., it is absolutely necessary that the superintendent be given competent farmers who have had experience in irrigation and who are competent instructors in methods of farming irrigable lands.

A reimbursable appropriation of at least $100,000 should be made available at an early date in order that the Indians may be equipped for this work as soon as water can be had for irrigating their allotments.

Mr. ASHURST. Will the Senator from Montana please give the name of the commission from whose report he has just been reading?

Mr. WALSH. This is a report of a commission appointed under the provisions of the Indian appropriation act of August 1, 1914, the commissioners who made the report being C. B. Lohmiller, superintendent Fort Peck Reservation; Arthur E. McFatridge, superintendent Blackfeet Reservation; Fred C. Morgan, superintendent Flathead Reservation; W. S. Hanna, superintendent of irrigation, chairman; L. M. Holt, superintendent of irrigation; and Henry W. Dietz, superintendent of irrigation.

Mr. MYERS. Mr. President, I will say that I visited and personally inspected the Fort Peck Reservation last summer and talked with both homesteaders and Indians thereon. Conditions there are such as to absolutely require the speedy completion of this project, for the benefit both of the Indians and the whites, in order to do justice to each and both. The Indians, as well as the white settlers, are suffering from delay, and in talking with them I heard no word of opposition to the speedy completion of the project, but, on the contrary, both Indians and white settlers were urging that the Government go ahead with the project. This appropriation is needed and should be made.

Mr. SMOOT. Mr. President, I will ask the Chair if the amendment to the amendment submitted by the Senator from Kansas [Mr. CURTIS] has been adopted?

The PRESIDING OFFICER (Mr. CHILTON in the chair). The amendment has already been agreed to. The question now is upon the amendment of the committee as amended.

Mr. SMOOT. Mr. President, I only desire to say a word, and that not on the amendment itself. I notice in the amendment that the appropriation is made to be immediately available "and to remain available until expended."

The senior Senator from Montana [Mr. MYERS] has just said that this work must be undertaken at once and that there is no opposition to it on the part of the Indians or on the part of the white settlers. It seems to me that the words "and to remain available until expended" ought to be eliminated from the amendment.

I did not raise the question in the case of the previous amendment, carrying $750,000, because that is a very large amount and can not, perhaps, be expended within the time when, under the bill, the appropriation would lapse.

Mr. WALSH. Mr. President, in deference to the desire of the Senator from Utah and considering the experience he has had in these matters of appropriations, we do not insist upon those words remaining in the amendment.

Mr. SMOOT. Then I move that the words "and to remain available until expended" be stricken from the amendment.

Mr. WALSH. There is no objection to that.

Mr. SMOOT. Mr. President, I wish the Senator from Montana to understand that I do not offer that in any spirit of hostility toward the amendment.

Mr. WALSH. I appreciate that.

Mr. SMOOT. But it is a bad practice to employ those words, and they should not be incorporated in an appropriation bill unless there is some real good reason for so doing.

Mr. WALSH. The Senators from Montana fully understand the attitude of the Senator from Utah.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The SECRETARY. At the end of the amendment reported by the committee it is proposed to strike out the words "and to remain available until expended."

Mr. MYERS. Mr. President, speaking for myself, I am very willing to have that amendment adopted to the pending amendment. I am very glad the Senator from Utah did not present a like amendment to the Flathead amendment, because the conditions there are entirely different, and it would be very inappropriate there.

Mr. SMOOT. The Senator understands that I did not suggest such an amendment in connection with the Flathead provision?

Mr. MYERS. I so understand; and I am very glad the Senator did not.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment reported by the committee.

The SECRETARY. After the amendment last agreed to, it is proposed to insert:

For continuing construction of the irrigation systems on the Blackfeet Indian Reservation, in Montana, $50,000 (reimbursable), which shall be immediately available and remain available until expended.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CURTIS. Mr. President, I simply wish to get the facts in the RECORD in this case, as I did in the others. There are 1,224 Blackfeet Indians; the irrigated land farmed by the Indians amounts to 1,618 acres. The amount expended on the project to date is $952,061.34; it will cost to complete the project $2,798,000, and the amount reimbursed to date is $4,544. The amount of money on hand that may be used for reimbursement is none. The reservation now consists of 546,960 acres. These Indians had originally 1,760,000 acres. Under the irrigation system constructed there could have been cultivated in 1915 over 26,000 acres, and yet only 1,600 acres were cultivated.

I think it would be a mistake to make this appropriation, and I think I ought to say further that the Commissioner or Assistant Commissioner of Indian Affairs said that he doubted very much if this project would be of any benefit to the Indians.

In this connection I want to offer the same amendment which I offered in the other cases.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

Mr. CURTIS. I will say that it is in identical terms with the others.

Mr. ASHURST. If it is in identical terms with the others, perhaps it need not be read.

Mr. CURTIS. It is the same, except as to the name of the Indians.

Mr. WALSH. Mr. President, I think there is a slight change, and perhaps it had better be read.

Mr. CURTIS. Very well; let it be read.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The SECRETARY. At the end of the amendment it is proposed to insert the following:

Provided, That the entryman upon the surplus unallotted lands to be irrigated by such systems shall, in addition to compliance with the homestead laws, before receiving patent for the lands covered by his entry, pay the charges apportioned against such tract as herein authorized, and a failure to make any two payments when due shall render the entry subject to cancellation, with the forfeiture to the United States of all rights acquired under the provisions of this act, as well as of any moneys paid on account thereof. The purchaser of any Indian allotment to be irrigated by such systems, purchased upon approval of the Secretary of the Interior, before the charges against said allotment herein authorized shall have been paid, shall pay all charges remaining unpaid at the time of such purchase, and in all patents or deeds for such purchased allotments, and also in all patents in fee to allottees or their heirs issued before payment of all such charges herein authorized to be made against their allotments, there shall be expressed that there is reserved upon the lands therein described a lien for such charges, and such lien may be enforced, or, upon payment of the delinquent charges, may be released by the Secretary of the Interior.

Mr. WALSH. Mr. President, before action is taken on this matter, I desire to ask that there be inserted in the RECORD a letter which I received this morning from Mr. Meritt, the Assistant Commissioner of Indian Affairs, urging that this appropriation be made.

The PRESIDING OFFICER. Without objection, the letter will be inserted in the RECORD.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 27, 1916.

Hon. THOMAS J. WALSH,
United States Senate.

MY DEAR SENATOR WALSH: In compliance with your phone request of this morning, I am transmitting herewith the history of the Blackfeet irrigation project in Montana. There is also inclosed the report of the commission appointed to investigate the Blackfeet, Flathead, and Fort Peck irrigation projects, found in House Document 1215, Sixty-third Congress, third session.

Referring to your inquiry regarding the estimates of the department for an appropriation of $50,000 for the Blackfeet irrigation project, you are advised that it is very important that there be obtained a small appropriation for the maintenance of this project. The Government has already expended nearly a million dollars on this project, and it is desirable that a small appropriation be made to protect this large investment.

Very truly, yours,

E. B. MERITT,
Assistant Commissioner.

Mr. WALSH. I also ask that there be inserted in the RECORD a memorandum submitted by the Director of the Reclamation Service and a report from the project engineer upon this project.

The PRESIDING OFFICER. Without objection, that order will be made.

The matter referred to is as follows:

IRRIGATION ON BLACKFEET INDIAN RESERVATION.

Construction of irrigation works on the Blackfeet Reservation was started in 1908, and an effort was made to employ Indians, so as to teach them how to work and form habits of industry.

Some land was brought under ditch in 1910, which gradually increased annually since that time.

An examination in August, 1913, showed that although 26,000 acres of land were commanded by ditches and water supply, not a single acre had ever been irrigated thereunder. Some improvement, however, occurred in 1914, when 675 acres of Indian lands were irrigated, of which 474 acres produced crops averaging in value $8.20 per acre.

In 1915 the irrigated acreage was 1,618, of which 1,322 acres produced crops to an average value of $12.90 per acre. Thirty-three farms were irrigated, and their products included hay, grain, and garden crops.

I am unofficially informed that the lack of interest in agriculture by the Indians is due partly to the fact that the Indian allotments have not been approved, unless it has been done recently, and the Indians could not, of course, be expected to exhibit much enthusiasm in farming lands to which they could get no guaranty of permanency of tenure.

—

BROWNING, MONT., *August 9, 1913.*

The Hon. SECRETARY OF THE INTERIOR.

DEAR SIR: Inclosed herewith are three tables showing total payments to Indians for services as laborers, for services of their teams, and for supplies during recent years in which the Reclamation Service has been operating in the Fort Peck, Blackfeet, and Flathead Indian Reservations. These tables refer to the work done with Indian appropriations. In addition to this, large amounts have been paid for labor upon works built with the reclamation fund on the Milk River project, Huntley project, where Crow Indians were employed, and Salt River project, where Apaches, Pimas, and Maricopas were employed.

By reference to the table for the Blackfeet Indian Reservation it will be found that the second item of labor has increased progressively every year beginning with $14,691 in 1908 and amounting to $72,954 in 1912. Total payments have increased in a similar ratio. The total payments for Indian labor and teams during the months of May, June, and July, 1913, are $47,178. August, September, and October are still to be heard from, and all indications are that the increase of 1913 over that for 1912 will be large.

The engineer in charge of the work on the reservation reports that at one time last year 174 four-horse teams owned and driven by Indians were employed on construction work and freighting. The largest number employed at one time this year is not as great, but those employed are working more steadily, so that the total amount of work performed by Indian labor per month is greater this year than last.

The engineer also reports that Indians are reasonably skillful in handling four-horse teams attached to fresnos, scrapers, to grading plows, and to freight wagons, but that in many cases they are not reliable, as they will quit without notice, and it is not always safe to trust an Indian to handle a plow team or freighting team where sudden, unexpected stoppage will cause serious detriment to the work and throw a large number of Indians out of employment. For this reason it is necessary to employ a few white men who either perform such duties or can hold themselves in readiness to take the place of Indians who suddenly quit. For the same reason it is necessary to have a considerable proportion of animals owned by the United States and handled by white men, otherwise the work would seriously suffer on account of the unreliability of the Indians and their teams. The Indians, however, have been steadily improving in this respect from an efficiency five years ago very near zero to a point where a considerable number of Indian foremen, plowmen, and freighters are employed with moderate satisfaction.

All of the statistics available and all of the information obtainable from the men who have conducted this work point convincingly to the conclusion that the Indians have greatly improved in skill, reliability, and willingness every year since this work was started on the Blackfeet Reservation. I am convinced that a similar degree of patience, persistence, and skill could succeed equally well in training the Indians to agriculture. At present there are over 26,000 acres of land under ditch which can be irrigated and which the engineer in charge stands ready to deliver water to upon demand. Not a single acre of this land is being cultivated by either Indians or white men. Not a drop of water is being delivered for irrigation from the constructive works. A small acreage is being cultivated by the agency farmer, a part of which lies under the ditch, but this is being cultivated without irrigation. I have not yet had an opportunity to visit this farm.

The land under ditch is situated in three separate tracts and is largely allotted in 40-acre units to Indian allottees.

If a few of the unallotted units were farmed by a skillful, tactful farmer with Indian labor, the Indians employed would learn farm work and would set an example to the other Indians by which they could learn how to handle the water and cultivate the soil. If at the same time moderate pressure by persuasison and personal necessity were exerted, it is believed that results could be obtained in agriculture within a few years that has been made in the past five years in training and inducing Indians to work on construction.

At all times when money is available for the purpose offer is made that all Indians and Indian teams who desire employment will be employed at a given wage. The first year very few Indians offered; these were very inefficient, most of them being almost worthless, and none would remain on the work any considerable time, so that practically nothing was accomplished the first year except to give a meager training to quite a number of Indians employed, each for a short time. The next year the effect of this training and partial habits formed showed and the number of Indians employed increased; they worked for a longer time and with greater efficiency, and each successive year has shown a similar progress.

One of the important factors in this success is the fact that in the immediate neighborhood of the work the Government has maintained a mercantile store where the Indian could purchase all the necessities and no "gew-gaws." He was furnished with such clothing and subsistence as was necessary to make him an efficient workman irrespective of whether he had earned these or not, if only the Indian agreed to work to pay for the material furnished. Though credit of this kind has been given to a considerable extent there has been practically no loss. The engineer in charge reports that not one cent has been lost this year through this cause. The necessity for credit, however, has steadily declined and very little credit has been asked this year.

To sum up, there has been a continual and fairly steady increase in the number of Indians working, the skill with which they work, and in the average reliability and industry.

The necessity of training the young as irrigation farmers is not confined to Indians, and the State of Montana is expending large sums training white boys in irrigation farming at polytechnic and other schools, and the number trained out of school by skillful farmers and employers is much greater. The Indian has no such advantages as yet on this reservation, and that he would respond if given an opportunity is indicated by the results upon construction work, and also by the results upon the Fort Peck Reservation, where the Indians are not only more efficient and industrious upon construction work than on the Blackfeet, yet even there the Government still breaks the virgin soil with traction machinery which the Indians have not yet learned to handle.

The Flathead Indians have furnished no such examples of progress. The land on that reservation is very productive, and their allotments are large, so that the average Indian family receives in rent from white farmers sufficient money for their meager wants, and they play the part of idle landlords in preference to work. It has been very seldom possible to induce any considerable number of Flathead Indians to work on construction, and this seems to be the main reason.

Mr. WALSH. Now, Mr. President, I feel that I ought to take the time of the Senate simply to say, in connection with this matter, that the various appropriations made heretofore by Congress to carry on this work amount in the aggregate to just $1,000,000, of which $16,047.43 lapsed, leaving $983,952.57 heretofore appropriated. These appropriations were all made in view of the act of 1907, which provided for the opening of the entire Blackfeet Reservation. It was contemplated that the amount chargeable to the Indian lands under the project would be paid out of the proceeds of the excess lands sold; but the department has reached the conclusion that that act ought not to be enforced, and consequently the expected revenues have not been received.

I feel it but just to say, also, that out of this entire amount practically one-half has been paid to the Indians themselves. The work has practically all been done by the Indians. Something over $440,000 of the amount expended upon this project has been paid to them.

I have before me here the report of the project engineer for the past year. He tells in detail of the number of Indians who have been employed, and the number of payments that were made to the Indians. It is accompanied with photographs showing the character of crops raised on the reservation by means of the water that was available.

A very gratifying feature of this matter, to which I think I ought to refer, is this: The Director of the Reclamation Service states that while it is true that a relatively small portion of the land is actually cultivated by the Indians, the area is increasing gratifyingly each year; and he expresses the firm conviction that if the same efforts were made to educate the Indians as irrigation farmers that are made to educate even white boys as irrigation farmers, the results would be even more gratifying. So, at least, for the preservation of the rights of the Indians to the water and the utilization of the system, so far as the Indians care to utilize it, the Indian Office feels that the appropriation asked ought to be made.

Mr. SMOOT. Mr. President, for the reasons given, in the case of the last amendment for striking out the words "and remain available until expended," I ask that the same words in this amendment be stricken out.

Mr. WALSH. There is no objection to that.

The PRESIDING OFFICER. Without objection, that will be the order of the Senate.

Mr. PAGE. Mr. President, I do not want to take but a moment of the time of the Senate. I shall vote against the whole proposition. I just want to read into the RECORD what we have in the way of information from the Assistant Commissioner of Indian Affairs. Speaking of the Blackfeet Reservation, he says:

I am not sure that the Indians will make very much use of this irrigation project under present conditions on the Blackfeet Reservation. The Blackfeet Reservation, you will observe from the map, borders on Canada, and the climate there is not favorable to agriculture because of the early frost. If this project were coming up for the first time, so far as I am concerned, I should advise against the investment of a single dollar on the Blackfeet Reservation for irrigation purposes, because the reservation is primarily a grazing proposition and is more valuable for grazing purposes than for agricultural purposes.

Senator PITTMAN. Then, as I understand you, as an agricultural proposition it would not justify the investment—that is, the amount of money required to make the subject an agricultural industry—and that the return would not justify it?

Mr. MERITT. Not with the industry as shown by the Blackfeet Indians. If it were purely a white man's project, it might be made a success; but we must realize that the Indians do not come up to the white man's standard in industry and effort.

I will simply add that, in this connection, on this reservation we have already expended, in round numbers, $1,000,000,

reimbursable out of the Indian funds. As a proof of what I have stated, I will read from what Mr. Meritt said:

I have been on that reservation, and it is my personal opinion that it was a mistake ever to have begun that irrigation project on the Blackfeet Reservation. The Government has expended already about a million dollars on that project, and the Reclamation Service has estimated that it will cost approximately $3,000,000 before the project is completed as planned by them.

I submit that all these irrigation projects are a speculation. In case they are unsuccessful the Indian is the loser; if they are successful, he has very little profit. The Indians do not utilize these irrigation projects to any considerable extent, as is shown by the statement just made by the Senator from Kansas.

Because of this fact, and because I think we are wronging the Indians by these irrigation projects, I deem it my duty to vote against all these appropriations.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Montana?

Mr. PAGE. Certainly.

Mr. MYERS. I should like to ask the Senator if the Assistant Commissioner, Mr. Meritt, did not go further and state that it was necessary to appropriate this $50,000 in order to protect and save from loss all the work that had been done on the Blackfeet project, at a cost of about $1,000,000?

Mr. PAGE. Oh, yes; it is probably true that the $50,000 we propose to appropriate must be appropriated to save a bare something out of what has already been expended. I introduce these facts because I want the Senate to know that these projects have not been undertaken with good judgment. As a Federal Government should pay the losses, in case they prove white man's project I think they may be good. I think the failures, rather than take the money from the Indians' funds.

Mr. LANE. Mr. President, before the question is put, I wish to say for the information of the Senate that it is my opinion that if the Indians are ever permitted to go into court with fair representation the Government will have to pay many millions of dollars in the way of claims for damages for legislation which has been passed by Congress which has not been in the interest of the Indians. I think there is a measure introduced as an amendment to this bill which allows some of them to go into the Court of Claims. If they do, I think they will be entitled to, and if the court is a just one they will get, the damages.

Mr. WALSH. Mr. President, I will state to the Senator from Oregon that I have introduced a bill which permits the Blackfeet Indians to go into court.

Mr. LANE. That is a good bill, and I hope the Senator will have it passed.

Mr. WALSH. I hope to have the help of the Senator from Oregon in getting it through.

The PRESIDING OFFICER. The question is upon agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. Following the amendment just agreed to it is proposed to insert:

That the Secretary of the Interior is hereby authorized to expend the sum of $22,400 from any money now available for construction of irrigation systems on the Blackfeet Reservation in Montana, in the purchase of lands embraced in the allotments of George W. Cook and David La Breche, described as lots 3 and 5, section 27, and lots 1 and 2, section 34, township 32 north, range 13 west, together with all the improvements thereon, in consideration of the relinquishment by the allottees of all their right, title, and interest in and to said lands and improvements, and of their right to select lieu lands under the provisions of section 14 of the act of June 25, 1910 (36 Stat. L., pp. 855, 859), and the release of all their claims whatsoever against the United States or the Blackfeet Tribe of Indians by reason of said lands being required for reservoir purposes in connection with the irrigation system on the aforesaid Indian reservation.

Mr. CURTIS. Mr. President, as I understand, this is the amendment that was asked for by letter last Friday.

Mr. WALSH. It is the same one that was adopted by the Senate on Friday last, and the explanation of the amendment will be found in the RECORD of the proceedings of that day.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The SECRETARY. Following the amendment just agreed to, it is proposed to insert:

The work to be done with the amounts herein appropriated for the completion of the Blackfeet, Flathead, and Fort Peck projects may be done by the Reclamation Service on plans and estimates furnished by that service and approved by the Commissioner of Indian Affairs: *Provided*, That not to exceed $19,575 of applicable appropriations made for the Flathead, Blackfeet, and Fort Peck irrigation projects shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for official use upon the aforesaid irrigation projects: *Provided further*, That not to exceed $8,865 may be used for the purchase of horse-drawn passenger-carrying vehicles, and that not exceed $1,500 may be used for the purchase of motor-propelled passenger-carrying vehicles.

Mr. CURTIS. Mr. President, I offer as an amendment to the amendment the matter which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to insert, following the word "vehicle," the following:

That the Secretary of the Interior be, and he is hereby, authorized and directed to announce, at such time as in his opinion seems proper, the charge for construction of irrigation systems on the Blackfeet, Flathead, and Fort Peck Indian Reservations in Montana, which shall be made against each acre of land irrigable by the systems on each of said reservations. Such charges shall be assessed against the land irrigable by the systems on each said reservation in the proportion of the total construction cost which each acre of such land bears to the whole area of irrigable land thereunder.

On the 1st day of December after the announcement by the Secretary of the Interior of the construction charge the allottee, entryman, purchaser, or owner of such irrigable land which might have been furnished water for irrigation during the whole of the preceding irrigation season, from ditches actually constructed, shall pay to the superintendent of the reservation where the land is located, for deposit to the credit of the United States as a reimbursement of the appropriations made or to be made for construction of said irrigation systems, 5 per cent of the construction charge fixed for his land, as an initial installment, and shall pay the balance of the charge in 15 annual installments, the first 5 of which shall each be 5 per cent of the construction charge and the remainder shall each be 7 per cent of the construction charge. The first of the annual installments shall become due and payable on December 1, of the fifth calendar year after the initial installment: *Provided*, That any allottee, entryman, purchaser, or owner may, if he so elects, pay the whole or any part of the construction charges within any shorter period: *Provided further*, That the Secretary of the Interior, may, in his discretion, grant such extension of the time for payments herein required from Indian allottees or their heirs as he may determine proper and necessary, so long as such land remains in Indian title.

That the tribal funds heretofore covered into the Treasury of the United States in partial reimbursement of appropriations made for constructing irrigation systems on said reservations shall be placed to the credit of the tribe and be available for such expenditure for the benefit of the tribe as may be made under existing law.

The cost of constructing irrigation systems to irrigate allotted lands of the Indians on these reservations shall be reimbursed to the United States as hereinbefore provided, and no further reimbursements from the tribal funds shall be made on account of said irrigation works except that all charges against Indian allottees or their heirs herein authorized, unless otherwise paid, may be paid from the individual shares in the tribal funds, when the same is available for distribution, in the discretion of the Secretary of the Interior.

That in addition to the construction charges every allottee, entryman, purchaser, or owner shall pay to the superintendent of the reservation a maintenance and operation charge based upon the total cost of maintenance and operation of the systems on the several reservations, and the Secretary of the Interior is hereby authorized to fix such maintenance and operation charge upon such basis as shall be equitable to the owners of the irrigable land. Such charges when collected shall be available for expenditure in the maintenance and operation of the systems on the reservation where collected: *Provided*, That delivery of water to any tract of land may be refused on account of nonpayment of any charges herein authorized, and the same may, in the discretion of the Secretary of the Interior, be collected by a suit for money owed: *Provided further*, That the rights of the United States heretofore acquired to water for Indian lands referred to in the foregoing provision, namely, the Blackfeet, Fort Peck, and Flathead Reservation land, shall be continued in full force and effect until the Indian title to such land is extinguished.

That the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules and regulations and issue such notices as may be necessary to carry into effect the provisions of this act, and he is hereby authorized and directed to determine the area of land on each reservation which may be irrigated from constructed ditches and to determine what allowance, if any, shall be made for ditches constructed by individuals for the diversion and distribution of a partial or total water supply for allotted or surplus unallotted land: *Provided*, That if water be available prior to the announcement of the charge herein authorized the Secretary of the Interior may furnish water to land under the systems on the said reservations, making a reasonable charge therefor, and such charges when collected may be used for construction or maintenance of the systems through which such water shall have been furnished.

Mr. GRONNA. Mr. President, I may have misunderstood the reading of this amendment, but I understand that it provides that the cost of construction shall be paid in seven years. Am I right?

Mr. CURTIS. This amendment provides that it shall be paid in 15 years. It provides for the payment of 5 per cent annually for a certain number of years, and 7 per cent annually for the balance of the period.

Mr. GRONNA. They are given 15 years' time?

Mr. CURTIS. Fifteen years' time, according to my recollection.

Mr. GRONNA. If that is correct, I have no objection.

Mr. WALSH. It is intended to make the provisions conform to the present provisions of the general reclamation law, 15 years; but the initial payment may be deferred for five years.

Mr. ASHURST. Mr. President, I believe and therefore move that the word "the" should be inserted after the word "irrigation," on line 16, page 52 of this amendment.

The PRESIDING OFFICER. Does the chairman of the committee accept the amendment offered?

Mr. ASHURST. Yes.

The PRESIDING OFFICER. Then that will become a part of the original amendment?

Mr. ASHURST. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on the amendment as amended.

Mr. PAGE. Mr. President, I should like to inquire of the Senator from Montana what is the maximum sum that in his judgment can be taken from the Federal Treasury under this amendment of the Senator from Kansas? As I understand, the proposal is to transfer the burden from the Indians to the Federal Treasury. The Senator is acquainted with all the surroundings. I should like to know the maximum loss he thinks may come to the Federal Treasury because of these projects?

Mr. WALSH. Why, Mr. President, I will say frankly to the Senator that I have not the slightest fear that the Government of the United States or the Treasury of the United States will ever lose a dollar.

Mr. PAGE. In the case of the Blackfeet project it seems to be generally conceded that there will be a loss.

Mr. WALSH. I do not think anybody has conceded anything of that kind. I will say to the Senator that, of course, if we do not open the Blackfeet Reservation the Indians will have no money from which this can be reimbursed, so that this is, in that view of it, a straight-out appropriation for the benefit of the Blackfeet Indians. But we hope you will be persuaded that the eastern end of the reservation should be opened, and then the white settlers who take the lands there under the project will contribute to the Federal Treasury whatever is assignable to their lands, and the proceeds of the sale of the Indian lands will be applied, so far as they belong to the individual Indians who take their allotments there, to reduce it, and I have no doubt in the world that as time goes on other portions of the reservation will be opened, because that is the history of these things in the past. Just as fast as the reservation opens the moneys will then become available to the liquidation of the indebtedness which now exists.

Mr. PAGE. The Senator is of course aware, as for instance in North Dakota, that some of these irrigation projects have been failures, and he is also aware that in the opinion of the department this Blackfeet project, upon which $1,000,000 has already been paid out, ought never to have been commenced as an Indian proposition. Am I right about that?

Mr. WALSH. Mr. Meritt expressed that view, but I do not think when you speak about the department you ought to accept what Mr. Meritt says about a matter against what the special commission that was appointed by virtue of the act of Congress to go out and investigate the matter said. They say the project is all right and I tell you that it is all right, and the head of the Reclamation Service tells you it is all right. Now, Mr. Meritt does not tell you that it is not all right, but he says if the thing was to do over again he would not do it. I dare say in the business experience of the Senator from Vermont he has started enterprises that when he got through with them he would rather he had not started.

Mr. PAGE. But usually when I start on an enterprise and it is a failure I have to pay the loss out of my pocket.

Mr. WALSH. So I have tried to state. Of course if you do not wish to get the money out of the lands by opening the lands so that the Indians will have something to pay, the Treasury will always be out that amount.

Mr. PAGE. I was of the opinion that Mr. Meritt reflected the views of the department when he said that they had already paid out $1,000,000, and that it would cost $2,000,000 to complete the project, and that all he thought we ought to do was simply to tie up and make available what had already been expended, as far as we could by the expenditure of this additional sum, $50,000.

Mr. WALSH. I will say to the Senator from Vermont I do not think so. I thought Mr. Meritt, who told us he had been on this reservation, was expressing his own individual idea about it, because he has sent a letter, written this morning, asking that the appropriation be made.

Mr. PAGE. An appropriation of $50,000?

Mr. WALSH. Yes; which I have put in the RECORD. I think he was expressing his own opinion about it. Bear in mind, this is 1916 and the initial appropriation was made in 1908, eight years ago, and we have learned a lot about irrigation problems in Montana in eight years that we did not know then. We have learned that we can cultivate vast areas of our land without irrigation quite successfully. We have learned also, Mr. President, that there are many troublesome difficulties in connection with these irrigation projects of which we did not know anything at all, or knew but little, in 1908.

Mr. PAGE. I did not follow all the amendments of the Senator from Kansas very closely. Am I right in supposing that by this amendment we relieve the Indians from the burden of these projects in case there is a final loss?

Mr. WALSH. The amendments offered by the Senator from Kansas were prepared through conferences between the Montana delegation and the Indian Bureau. They are entirely satisfactory to the Indian Bureau. I want to say to the Senator briefly they provide that the provisions of the various acts by which in a way the avails of the Indian lands stood pledged for the expense of the projects have been in effect repealed. It ought to be said as well that the law likewise provided that the white settlers should pay their proportionate share of the cost so that the Treasury was to be reimbursed from the contribution made by the white settlers as well as by the Indian allottees.

Mr. PAGE. I understood that to be the case.

Mr. WALSH. The amendments now adopted provide that the individual share of the individual Indian in the tribal funds, the Indian who has land under the project, may be applied by the Secretary of the Interior to the payment of his share of the expense of the construction of the project, and that the settler who appropriates any of the excess land shall be charged his share and shall pay it, and that the Treasury shall be reimbursed in that way. Then it provides that the tribal funds of the Indians shall not otherwise be chargeable with anything.

Mr. PAGE. I wish to say that I am very happy because of this outcome. I have devoted a good deal of time to the study of these irrigation problems, and perhaps I have sometimes been offensive to my brother Senators in fighting what I have believed to be gross injustice to the Indian, a wrongful use of his money. So far as I can now see, I think this solution of the matter is satisfactory.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The next amendment was, on page 58, after line 16, to insert:

For the erection of a building for the display of Indian exhibits upon the fair grounds of the Western Montana Fair Association at Missoula, Mont., upon such plans as the Commissioner of Indian Affairs shall direct, $1,000.

Mr. CURTIS. Mr. President, I make a point of order on this amendment that it is not germane.

Mr. MYERS. Mr. President, I desire to be heard on that.

Mr. CURTIS. I make a point of order and it is not debatable under the rule.

Mr. MYERS. Mr. President, a parliamentary inquiry. Where does the Senator get any authority that a point of order is not debatable?

Mr. CURTIS. I get it in Rule XVI.

The PRESIDING OFFICER. The Chair will presume to transfer the question to the Senate.

Mr. MYERS. I should like to say that Rule XVI——

Mr. CURTIS. Paragraph 3.

Mr. MYERS. That a point of order is not debatable?

Mr. ASHURST. May I have a moment?

Mr. CURTIS. I raise the point of order.

Mr. ASHURST. I do not want to debate the point of order; I want to make a short statement.

I was going to say the situation before the Senate is such that the chairman of the Committee on Military Affairs is going to press his military bill, and I want, if I can, to conclude the consideration of the Indian appropriation bill to-day. I appeal to Senators not on the other side but on this side of the Chamber to make just as few and as short speeches as their oratorical temperaments will permit. I appeal to Senators to sit and vote and to exercise their oratorical capacities on the military bill.

The PRESIDING OFFICER. The Chair claims no special knowledge in this direction, and desires to submit the question to the Senate whether the amendment is germane.

Mr. MYERS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cummins	Johnson, S. Dak.	Nelson
Beckham	Curtis	Jones	Newlands
Borah	Gore	Kern	Norris
Brandegee	Gronna	Lane	Oliver
Broussard	Harding	Lodge	Overman
Catron	Hardwick	McCumber	Page
Chamberlain	Hitchcock	Martine, N. J.	Ransdell
Clapp	Hollis	Myers	Robinson

Shafroth	Smoot	Thompson	Walsh
Sheppard	Sterling	Tillman	Weeks
Sherman	Sutherland	Townsend	
Smith, Ariz.	Taggart	Underwood	
Smith, Ga.	Thomas	Wadsworth	

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER]. He is absent on official business. This announcement may stand for the day.

The PRESIDING OFFICER. Forty-nine Senators have responded to their names. A quorum is present. The question is whether the amendment offered by the Senator from Kansas [Mr. CURTIS] is germane. [Putting the question.] The ayes have it, and the Senate decides that the amendment is germane. Without objection, the amendment is agreed to.

Mr. GRONNA. Mr. President, I do object to the amendment.

The PRESIDING OFFICER. The Senate having agreed that the amendment is germane, the question now is on agreeing to the amendment.

Mr. GRONNA. Mr. President, I have no objection to the real merits of the amendment. It would perhaps be a good idea to erect buildings for the Indians to exhibit their products, but, Mr. President, when I presented the idea to the committee I was told that we must not establish this precedent. I did not press my claim any further. I simply abided by the wishes of the committee. How in the world the amendment has gotten on the Indian appropriation bill I do not know.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. MYERS. The amendment was adopted by a majority vote of the committee. I was there when it was adopted. I ask the chairman to bear me out in that statement.

Mr. ASHURST. That is true.

Mr. GRONNA. I do not yield for a speech. The Senator will remember that on Saturday he declined to yield to me for a speech.

Mr. MYERS. But I never object to yielding for a question.

Mr. GRONNA. If the Senator wishes to ask a question, I will gladly yield.

The PRESIDING OFFICER. The Senator from North Dakota has the floor.

Mr. GRONNA. I shall insist upon a record vote upon this amendment, and I call for the yeas and nays.

Mr. SUTHERLAND. I wish to ask the Senator a question. This money, I suppose, comes out of the Indian funds?

Mr. GRONNA. It does.

Mr. MYERS. I desire to make a correction there. It does not come out of the Indian funds. It is a gratuity out of the Treasury of the United States. I ask the Senator to read the amendment. It is not reimbursable. It is a donation.

Mr. SMITH of Georgia. For what purpose?

Mr. MYERS. To encourage the Indians to make farming exhibits at a fair in Montana.

Mr. SUTHERLAND. I should like to ask the Senator from Montana upon what theory he thinks we are justified in appropriating money out of the Public Treasury to provide for an Indian exhibit at a fair?

Mr. MYERS. In order to encourage the Indians to engage in agriculture, and to produce crops and become farmers. We have spent thousands and thousands of dollars in hiring farming instructors, farm teachers, for Indians in order to educate them and make farmers of them, and I believe that this will do more toward making farmers out of the Flathead Indians than all the rest of the money that has been expended for that purpose.

Mr. SUTHERLAND. Who is asking for this appropriation? The Indians?

Mr. MYERS. The Senate Committee on Indian Affairs.

Mr. SUTHERLAND. The Indians or the directors of the fair association?

Mr. MYERS. The request came from Maj. Morgan, the Indian agent of the Flathead Indians. I offered the amendment at his request, supplemented by the request of a large number of the Indians who met me on the fair grounds at Missoula, Mont., last fall, and joined in the request of the Indian agent. The directors of the fair knew nothing about it. It was a surprise to them when I offered the amendment. They were not consulted.

Mr. GRONNA. I still have the floor, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota has the floor, and will proceed.

Mr. GRONNA. Mr. President, I wish to read the language of this amendment:

> For the erection of a building for the display of Indian exhibits upon the fair grounds of the Western Montana Fair Association at Missoula, Mont., upon such plans as the Commissioner of Indian Affairs shall direct, $1,000.

It does not provide that this money shall be taken out of the Treasury; it says at the direction of the Commissioner of Indian Affairs, and the only available money will be the Indian money. So I say to the Senator from Montana he is mistaken in stating that it will be taken from the Treasury.

Mr. WILLIAMS and Mr. JONES addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Dakota yield; and if so, to whom?

Mr. GRONNA. I yield to the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator from North Dakota if he does not think the provision would be even worse if it provided expressly that it was to be taken out of the Public Treasury?

Mr. GRONNA. I think it would be worse.

Mr. WILLIAMS. Why should the people of Mississippi, and Georgia, and Alabama, and North Carolina, and New York pay to carry on an Indian fair any more than the people of New York and California and North Dakota should be called upon to pay for a State fair in Mississippi?

Mr. GRONNA. That is true. I agree with the Senator. Now, Mr. President, I have nothing further to say on this point.

Mr. JONES. Mr. President——

Mr. GRONNA. I wish to make a statement, and then I will yield.

Mr. JONES. Right in this connection I wish to make a suggestion.

Mr. GRONNA. I yield.

Mr. JONES. According to the language of the provision all that the commissioner has to do is to prepare such plans as the commissioner may direct, and the money must come out of the Treasury of the United States.

Mr. GRONNA. If it does, just as the Senator from Mississippi [Mr. WILLIAMS] said, it should not be done. Mr. President, I believe that if we are to commence to erect buildings for this purpose we should not erect them only for Missoula, Mont., but for every Indian agency in every State where we have Indians. I am opposed to this amendment going in at this time.

Mr. MYERS. Mr. President, just a few words. I agree with the Senator from North Dakota that if we would erect a building for each tribe of Indians in the United States in which to put their exhibits at some fair and thereby instill in them a spirit of competition, an incentive to industry and cultivation of the soil, making them self-supporting and making farmers of them, it would be money well spent, and I would favor doing it on every Indian reservation in the United States. This money is not to be reimbursable. That was discussed in the committee. It is a plain gratuity out of the Treasury of the United States to encourage Indians to follow agriculture, an incentive to develop them into farmers and to make them self-supporting. We spend hundreds of thousands of dollars for Indians in ways that are far less beneficial than this and much less judicious.

There seems to be some disposition to criticize very severely this amendment. I want to call attention to the fact that it is indorsed by the Secretary of the Interior. It came to the Committee on Indian Affairs with the indorsement of that official, who wrote a letter about it to the chairman of the committee, which is found on page 30 of the report of the Senate committee on this bill, and which is as follows:

> DEPARTMENT OF THE INTERIOR,
> *Washington, February 24, 1916.*
>
> MY DEAR SENATOR: This will refer further to your memorandum transmitting for report copy of an amendment intended to be proposed by Senator Myers to the Indian appropriation bill (H. R. 10385), appropriating $1,000 for the erection of a building for the display of Indian products on the fair grounds of the Western Montana Fair Association, at Missoula, Mont.
>
> I am advised that for several years very successful exhibits of Indian products have been shown at this fair, and the Indians have won a number of prizes in direct competition with white farmers, which has not only tended further to encourage them in their industrial activities, but also to give the public correct ideas of present civilized conditions among the Indians.
>
> No specific information seems to be available as to the sufficiency of the quarters for housing the Indian exhibit at this fair, but the proposed amendment would seem to indicate that they are inadequate. Should Congress see fit to appropriate funds for this purpose I will interpose no objection thereto and will use every means to see that the best possible use is made of whatever amount is appropriated.
>
> Cordially, yours,
>
> FRANKLIN K. LANE, *Secretary.*
>
> Hon. HENRY F. ASHURST,
> *Chairman Committee on Indian Affairs,*
> *United States Senate.*

Mr. PAGE. Will the Senator tell me from what page of the committee hearings he has been reading?

Mr. MYERS. I am reading from page 30 of the Senate committee report on this bill.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Wyoming?

Mr. MYERS. With great pleasure.

Mr. CLARK of Wyoming. I wish to ask the Senator from Montana if he knows what accommodations the fair association has at this time?

Mr. MYERS. I will answer that. I was just about to get to that. I am glad the Senator asks the question.

Mr. CLARK of Wyoming. Then, further, if there are not sufficient accommodations to accommodate all the exhibits that may be entered there, would it not be rather up to the fair association to furnish accommodations for exhibits, rather than to have the exhibitors themselves do it?

Mr. MYERS. It might be in some cases, but this has the approval of the Government. It is intended as an incentive to the Indians. I will say that at the Missoula fair last fall the Indians had a splendid agricultural exhibit—corn, wheat, grasses, oats, hay, vegetables, berries, fruit, and all the products of the soil, showing that the Flathead Indians are making a good beginning in agriculture. Their land has been alloted to them, and it is necessary that they should go on their allotments and cultivate them and make a living, unless they are to be forever wards of the Government. This would encourage industry in them.

Mr. CLARK of Wyoming. My suggestion——

Mr. MYERS. I will answer the question. There are no adequate quarters there for an Indian exhibit. Their exhibit is housed in quarters which are not nearly sufficient, and the Indians and the Indian agent want an Indian building, where the Indians can gather when they attend the fair and hold conferences and make their headquarters and have their exhibits; have them in a special building, put up especially for their use and designed according to their needs.

Mr. CLARK of Wyoming. I merely wanted to remark that in other States where they have Indian exhibits at fairs the fair association provides most abundant and capacious rooms for them and they are very glad to do it. It forms added attractions to the fair association.

Mr. MYERS. I want to say in addition this is to be a gratuity appropriation, and on that account I expect it to have the very earnest and hearty support of the Senator from Vermont [Mr. PAGE]. In the debates Saturday about the appropriation for the Flathead reclamation project the Senator from Vermont complained that it was reimbursable out of the funds of the Indians and contended that was not fair to the Indians. I asked him how he thought the appropriation should be made and he indicated that he thought the fairest and best way would be a gratuity appropriation by the United States Government. He indicated very pointedly that he might be willing to vote a gratuity appropriation of about $6,000,000 to complete the Flathead reclamation project, for the benefit of Indians and whites on the Flathead Reservation.

Now, I am sure that, as an evidence of his good faith, he will vote for this little beginning, which is just a drop in the bucket, just as a grain of sand on the seashore, as compared with the enormous sum of $6,000,000 of which he was talking Saturday. Then he showed a strong disposition to change the plan of making Indian appropriations from reimbursable appropriations to gratuity appropriations. Then we were making reimbursable appropriations and he was strong for gratuity appropriations. Now this is a proposition to vote money directly out of the United States Treasury for the benefit of Indians. This would be a good beginning for him, a gratuity appropriation of just $1,000 instead of $6,000,000, and I feel sure of his very hearty support. Let him begin now to show his willingness to vote gratuity appropriations to Indians. This is a good time. Here is a good chance.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from North Dakota?

Mr. MYERS. I yield with great pleasure.

Mr. GRONNA. The Senator from Montana, I am quite sure, will remember that there were others who asked for appropriations like this.

Mr. MYERS. I do not remember any others.

Mr. GRONNA. It was suggested by other members of the committee that it was an exceedingly dangerous proposition to begin.

Mr. MYERS. I care not what was suggested; the committee recommended the amendment or it would not now be in the bill and before the Senate.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Vermont?

Mr. MYERS. With great pleasure.

Mr. PAGE. I want to take but a moment of time to read what I said at the time we were discussing this matter before the committee.

Mr. MYERS. No; I was talking of what the Senator said Saturday, on the floor of the Senate, in debating the amendment for an appropriation for the Flathead reclamation project. It was that occasion to which I referred.

Mr. PAGE. That is right; but I am speaking about what I said in committee.

Mr. MYERS. All right.

Mr. PAGE (reading):

> Senator PAGE. I would like to say that I would not let the Senator from Montana say anything more than I can in regard to the beneficial results from competition at State and county fairs; but we seem to be entering upon a field here that I think we do not see the end of. If there is any reason why we should build a building for this county fair and should say it is a county and not a State fair, then why should we not open the doors wide and put up a building in every county in the Union where there are Indians?

That is my objection to this feature of the bill. I do not see any reason why we should make any exception of a State fair or county fair in Montana.

I stated further:

> If we are going to enter upon that plan of constructing buildings for the Indians everywhere, I say, amen; let us do it, but I think we are opening the door here to buildings that will be legion in number if we continue to build these buildings in all parts of the United States.
>
> * * * * * * *
>
> I dislike to announce that I shall have to make a point of order on items of this kind, but if this item is put in I notify the committee I will make a point of order on it.

I feel that this is one of the worst pieces of legislation that we could adopt here, because any Senator who is on the Committee on Indian Affairs knows that from beginning to end there is one continuous application for funds for such purposes as this; and the only way we can stop such onslaughts is to refuse to establish the precedent, and then by saying that, unless we have a precedent, we shall not enter upon this kind of legislation. The item is small; I do not like to take up the time of the Senate in opposing it, but here is an item that is a beginning. I asked distinctly of the Commissioner of Indian Affairs if he had a precedent, and, if I remember correctly, he stated there might be some precedent, but he did not cite any. I still insist that we are entering upon a very dangerous class of legislation when we undertake to make appropriations for such purposes.

Mr. MYERS. This is one of the very meritorious items.

Mr. SUTHERLAND. Mr. President, I want to ask the Senator from Montana whether he is in favor of a general policy which will result in appropriating money for holding these Indian exhibits in all of the States where Indian reservations are to be found?

Mr. MYERS. I think it would be money well spent to expend $1,000 of Government funds on each Indian reservation in the United States where the lands have been allotted to the Indians, where the Indians have been thrown on their own resources, and where it is necessary to teach them to become farmers.

Mr. SUTHERLAND. How large an expenditure would that amount to per annum?

Mr. MYERS. I do not suppose there are over a dozen such Indian reservations in the United States, so the expenditure would be approximately $12,000 a year.

Mr. SUTHERLAND. There are more than a dozen places where Indians are engaged in farming upon their lands.

Mr. MYERS. I said Indian reservations, where the lands have been allotted to the Indians, where they are on their own resources, and are required to make a living on their own land. There is one reservation of that kind in Montana, and I doubt if there are more than three or four in the entire Union.

Mr. SUTHERLAND. But this is not confined to Indian reservations. It says:

> For the erection of a building for the display of Indian exhibits upon the fair grounds.

Mr. MYERS. It refers to the Flathead Indians, on the Flathead Reservation, in Montana.

Mr. SUTHERLAND. Oh, no; it is a separate item, wholly independent of the Flathead Reservation or of any other reservation.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SUTHERLAND. Yes.

Mr. NORRIS. I should like to call the attention of the Senator to the fact that this is an appropriation for the purpose of constructing a building.

Mr. SUTHERLAND. Yes.

Mr. NORRIS. There would have to be an additional appropriation to make the display. This entire sum appropriated would be expended in the construction of the building for a State fair association in Montana. Has that occurred to the Senator from Utah? None of this money could be used to make a display of the exhibit, but the appropriation is simply for the erection of the building, so that an exhibit could be made if they could get the money for that purpose otherwise and bring the exhibit to the building.

Mr. SUTHERLAND. Mr. President, I can foresee that if we enter upon this policy nobody can tell how much money we are going to appropriate hereafter, and I think we would hesitate if a general bill were brought in here providing for the expenditure of a thousand dollars in each of the States or, perhaps, in each of the counties in the western country where Indians are engaged in farming. I think we would hesitate a long time before we would accede to a general policy of that kind.

This is a small appropriation; but if we adopt it it is the beginning of a very large expenditure hereafter and for purposes which are not of a governmental character in any sense of the word.

Mr. WILLIAMS. Mr. President, I think the chief objection to this proposition consists in what was just stated by the Senator from Montana [Mr. MYERS]. It is a mere grain of sand out of a number on the seashore, and it can not stop with the Indians either, because if you once start the idea that you are to erect buildings to carry on county or State fairs—fairs on Indian reservations which are on an equal footing with county or State fairs—you have to go further.

The Senator from Vermont [Mr. PAGE] said that it might extend to every part of the country where there are Indians. Suppose it does. Shall it stop there? What is the matter with the white folk? If you are going to create emulation in agriculture by having the Federal Government construct buildings for the purpose of making better agricultural exhibits, why are you going to confine it to any one race upon the territory of the United States?

Mr. MYERS. I should like to answer that question.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Montana?

Mr. WILLIAMS. Wait one second, and I shall do so. Why should the Indians, or why should the darkeys, or why should anybody else possess any peculiar advantage over the white people of the country?

Mr. MYERS. Because the Indians are the wards of the Government, and the white people are not.

Mr. WILLIAMS. Ah, the Indians are considered the wards of the Government, and the darkeys have been considered the wards of the Government, and nearly everybody except white people has been considered a ward of the Government; but even being a ward does not entitle the guardian to take away from somebody else to whom it belongs a certain amount of money for advancing the interests of the ward. It only entitles the guardian to spend the ward's money in the manner most highly beneficial to the ward.

It is true that this particular guardian, the United States, has misspent a whole lot of these particular wards' money; it has misused it—misappropriated it; it has thown it away, and has kept bad faith time after time, and again and again; but that does not affect the fact that the only duty of a guardian is to use the ward's money for the benefit of the ward.

Now, the Senator from Montana tells us that these people are already so well advanced—or rather the Senator from Montana did not tell us that, but he read a letter from the Secretary of the Interior, the Hon. Franklin K. Lane, which told us that these people were already so far advanced out there that they had taken prize after prize over the white farmers in their neighborhood. Well, then, if that be true, and the object of this appropriation be to better farming, we should try to better the white man's farming out in that country and let the under dog have a show.

It seems to me, Mr. President, that we can not afford to take the first step which would carry us into that field of reservation and county and State fairs. We have already taken steps carrying us out into the field of national fairs, as we call them. I voted against every one of them; I never voted for one in my life. I can not conceive of the authority resting in the Federal Government to carry on a fair of any description. There was, however, some glamor around the word "national," spelled with a great big "N," but there is no glamor about the word "reservation" spelled with a big "R," or the word "county" spelled with a big "C," or the word "State" spelled with a big "S." I think the right place to stop this thing is the place where you stop a trip in the wrong direction, and that is just before you start out.

Mr. CURTIS. Mr. President, I raised the point of order on this amendment because I thought it should be defeated, and I hope that the Senate will vote it down.

The PRESIDING OFFICER. Is the demand for the yeas and nays on this amendment seconded?

The yeas and nays were not ordered.

The amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Indian Affairs was, on page 58, after line 20, to insert:

For the improvement and maintenance for bathing purposes of the Camas Hot Springs, near the town of Camas, on the Flathead Indian Reservation, Mont., said bathing privilege to be free to the Indians, but all other persons shall pay such fee as shall be required by the Commissioner of Indian Affairs, and for the employment of a caretaker at such annual salary as may be fixed by said Commissioner of Indian Affairs, $5,000.

Mr. CURTIS. Mr. President, I raise the point of order that that amendment is not germane to the bill.

Mr. MYERS. The amendment rests on the same basis as the preceding amendment, and that amendment was decided to be germane.

Mr. ASHURST. I raise the point of order that the point of order is not debatable.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. The Chair will put the question up to the Senate.

Mr. MYERS. Might I speak a word in reply to the Senator from Kansas?

Mr. CLARK of Wyoming. Regular order!

Mr. MYERS. I merely want to say a word.

Mr. CURTIS. I have made the point of order, and it is not debatable.

Mr. MYERS. I want to ask a question of the Senator from Kansas.

Mr. CLARK of Wyoming. Regular order, Mr. President.

Mr. MYERS. I wish to ask the Senator from Kansas if he does not think it rather unfair to cut off debate on a point of order like this?

The PRESIDING OFFICER. The regular order is called for. The question is as to whether or not the amendment is germane. [Putting the question.] The "noes" seem to have it.

Mr. MYERS. I ask for a division. This amendment is just as germane is was the other amendment.

The question being put, on a division the amendment was decided to be not germane to the bill.

Mr. SMOOT. What became of the amendment?

The PRESIDING OFFICER. It was decided to be not germane, and went out.

Mr. HITCHCOCK. Mr. President, I move the adoption of the amendment which I send to the desk.

The PRESIDING OFFICER. The Chair is informed that the committee amendment in the paragraph will have to be first considered.

Mr. HITCHCOCK. I understood the committee amendment had been agreed to.

Mr. CURTIS. We are only considering committee amendments at this time.

Mr. HITCHCOCK. I desire to say that I have the consent of the chairman of the committee to offer this amendment as an amendment to the committee amendment. It has been considered by the Indian Bureau.

The PRESIDING OFFICER. Does the Senator from Nebraska offer his amendment as an amendment in lieu of the committee amendment?

Mr. HITCHCOCK. No; but to add it at the end of the paragraph, in line 10, after the figures "$10,800."

The PRESIDING OFFICER. The Chair is informed that we have not reached that point in the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, under the head of "Nebraska," on page 59, line 5, to change the number of the section from 11 to 12, and in line 8, after the word "improvements," to strike out "$5,000" and insert "$10,000," so as to read:

SEC. 12. For support and education of 400 Indian pupils at the Indian school at Genoa, Nebr., including pay of superintendent, $68,800; for general repairs and improvements, $10,000; for new boilers at power plant, extension of lighting system and of water and sewer main, and for construction of septic tank, $10,800.

The amendment was agreed to.

Mr. HITCHCOCK. Now, Mr. President, my amendment follows, in line 10. It is an amendment which has been accepted by the chairman of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 10, after the figures "$10,800," it is proposed to insert:

For suitable employees' quarters for physician, principal teacher, and clerks, $7,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SMOOT. Mr. President, I should like to have the Senator offering the amendment explain why the appropriation of $7,000 provided for is asked?

Mr. HITCHCOCK. I can do so perhaps best in the language of the Acting Secretary of the Interior, whose letter on the subject reads as follows:

The second proposed amendment provides $7,000 for employees' quarters. The Genoa school has no suitable quarters for its principal teacher. At present he occupies a small, poorly ventilated room in the academic building. Adequate quarters for the principal teacher are badly needed.

For many years this school has had contract physicians. Under this plan the physician lives in town and has an extensive practice there. Consequently, he gives comparatively little time to school work. A resident physician is needed who, in addition to treating pupils who are ill, will give lectures, aid in the inspection of buildings and pupils, and attend to sanitation of the school. A resident physician can not be employed until suitable quarters are provided. Unmarried employees at the Genoa school are comfortably provided for as to quarters, but married employees are not so well cared for.

Mr. SMOOT. I thought from the reading of the amendment, Mr. President, that it only applied to the erection of a building for the superintendent. I now understand that not only is it supposed to provide for the superintendent but also for the resident physician and other employees of the school?

Mr. HITCHCOCK. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

The amendment was agreed to.

Mr. HITCHCOCK. I have another amendment, which is in the nature of an emergency amendment.

The PRESIDING OFFICER. Will the Senator desist one moment? The Chair is informed that the total should be corrected.

Mr. HITCHCOCK. I should like to have the change in the total wait until I propose another amendment.

The PRESIDING OFFICER. Very well.

Mr. HITCHCOCK. I offer the amendment which I send to the desk, to follow the one just agreed to.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Following the amendment just agreed to, it is proposed to insert:

For the purpose of making necessary repairs on the Government bridge across the Niobrara River near Niobrara, Nebr.; also to reconstruct one span of 90 feet over the back channel of the Niobrara River at the same point, the sum of $6,500; said sum to be expended under the direction of the Secretary of the Interior.

Mr. HITCHCOCK. I will say by way of explanation that this is necessary because the two spans of the bridge have just been washed out, so that the accident occurred too late to have the matter of repairs considered when the pending bill was in committee. This is a Government bridge between the Santee Reservation and the Ponca Reservation.

Mr. ASHURST. And it is on a reservation?

Mr. HITCHCOCK. It is on a reservation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. HITCHCOCK. Now, Mr. President, it will be necessary to change the total figure so as to read $103,100.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 59, line 11, the committee have reported an amendment, to strike out "$84,600" and insert "$89,600." It is now proposed to insert "$103,100" in lieu of "$89,600."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BROUSSARD and Mr. NORRIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana has been recognized.

Mr. BROUSSARD. Mr. President, I regret exceedingly that I feel compelled to take the floor at this moment to interrupt the speeding of the Indian appropriation bill, which my friend the chairman of the Committee on Indian Affairs has been doing, especially as I am a member of the Military Affairs Committee, and the members of that committee appreciate his efforts to dispose of the appropriation bill to-day so as to permit the important Army reorganization bill to be taken up to-morrow.

Mr. NORRIS. Mr. President, will the Senator from Louisiana yield to me?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Nebraska?

Mr. BROUSSARD. Certainly.

Mr. NORRIS. I merely desire to offer an amendment applying to the particular paragraph of the appropriation bill just under consideration. I do not think it will excite any discussion. The committee has already approved it.

Mr. BROUSSARD. I will yield with the understanding that I may proceed immediately after the matter is disposed of.

Mr. NORRIS. It seemed to me that while we were on this particular paragraph it would be well to finish it.

Mr. JONES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Washington will state his parliamentary inquiry.

Mr. JONES. I inquire if general amendments are in order as we proceed with the bill?

The PRESIDING OFFICER. The Chair understood that only committee amendments were in order at this time.

Mr. JONES. That is what I understood, that we were simply reading the bill for committee amendments at the present time.

Mr. NORRIS. We have just agreed to two amendments that were not committee amendments.

The PRESIDING OFFICER. That is true; but it is contrary to the agreement.

Mr. JONES. I have no objection; but I have some amendments to offer, and I desired to know what course was being pursued.

The PRESIDING OFFICER. The Chair understood that, by unanimous consent, it was agreed that amendments of the committee should first be considered.

Mr. NORRIS. The amendment to which I have referred has the approval of the committee; it is a report of the committee. It is in the shape of a bill on the calendar, unanimously reported by the committee, and in that sense is, in fact, as much a committee amendment as were either of the two amendments which have just been adopted.

The PRESIDING OFFICER. Does the Senator desire action now?

Mr. NORRIS. I should like to have the amendment disposed of.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 59, after line 11, it is proposed to insert the following:

That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to approve the assessments, together with maps showing right of way and definite location of proposed drainage ditches to be made under the laws of the State of Nebraska upon the allotments of certain Omaha and Winnebago Indians in Wakefield drainage district, in Dixon, Wayne, and Thurston Counties in Nebraska.

That the Secretary of the Interior be, and he is hereby, authorized to pay the amount assessed against each of said allotments: *Provided*, That said assessment shall not exceed $10 per acre on any allotment or portion thereof; and there is hereby appropriated for said purpose, out of any money in the Treasury not otherwise appropriated, the sum of $30,000, to be immediately available, the said sum to be reimbursable from the rentals of said allotments, not to exceed 50 per cent of the amount of rents received annually, or from any funds belonging to the said allottees, in the discretion of the Secretary of the Interior.

That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to approve deeds for right of way from such said allottees or their heirs as may be necessary to permit the construction and maintenance of said drainage ditch upon the payment of adequate damages therefor.

That the Secretary of the Interior is hereby authorized to approve the assessments upon all other restricted allotments located within any proposed drainage district located and made under the laws of the State of Nebraska.

That in the event any allottees shall receive a patent in fee to any allotment of land in any lawfully constituted drainage district within the State of Nebraska before the United States shall have been wholly reimbursed as herein provided, the amount remaining unpaid shall become a first lien on such allotment, and the fact of such lien shall be recited on the face of each patent in fee issued and the amount of the lien set forth thereon, and the receipt of the Secretary of the Interior, or of the officer, agent, or employee duly authorized by him for that purpose, for the payment of the amount assessed against any allotment as herein provided shall, when duly recorded by the recorder of deeds in the county wherein the land is located, operate as a satisfaction of such lien.

That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying these provisions into full force and effect.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). The question is on the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

THE SUGAR INDUSTRY.

Mr. BROUSSARD. Mr. President, I had intended to have the Secretary read excerpts from an article published in the New Orleans Daily States of recent date, but, as there are portions of the article which are not germane to the matter, which I desire to discuss, I shall read the excerpts myself. I quote

from the New Orleans Daily States of date March 17 of this year:

[By Arthur Ball (staff special to the States).]

LA FAYETTE, LA., *March 15, 1916.*

* * * * * * *

"I am no apologist for Mr. Ewing," said Senator RANSDELL. "He is well able to take care of himself. But I must tell you men, the men to whom I know to be interested in the sugar industry, of the work of Robert Ewing in behalf of sugar. You all must recollect my opposition to free sugar. Never have I gone through such a period as that in which the sugar tariff fight was waged; and I hope that I never again shall have to go through another such period. I fought against free sugar, but I could not win.

"When I saw that we faced defeat in that fight I suggested to the other opponents of free sugar that we should bring to Washington the one man who could do more for the sugar industry than all the Louisiana delegation combined—that man was Robert Ewing. I previously had arranged an interview with the President for Senator BROUSSARD and myself. That interview lasted 15 minutes—15 minutes was all the time that we Louisiana Senators could obtain to state our case to the President.

"But I knew that Robert Ewing, the greatest Wilson man in Louisiana before the Democratic nominating convention, the leader of the Wilson forces in Louisiana after the convention, a member of the Wilson campaign committee of 15, the personal friend of Postmaster General Burleson, who is one of Mr. Wilson's chief political advisers, could do more than we.

"And Robert Ewing came at our call. He stayed there in Washington for weeks at his own expense, was in constant conference with the leaders of both sides of the sugar-tariff fight. Never before have I seen a man work more earnestly for a cause than did Robert Ewing for Louisiana's sugar industry. He worked so earnestly that he assumed the chance of placing himself in bad odor with his party.

"Then the cry for free sugar became louder. Ewing pleaded for time; he begged the President to preserve the tariff for at least seven years. Just before the Underwood tariff bill went to the Senate the President called Senator BROUSSARD, Mr. Ewing, and myself into conference. We three pleaded with the President for a three-year extension of the tariff, but could not move him. Senator BROUSSARD and myself left, and Mr. Ewing remained behind with the President. The next day the tariff bill came out with the three-year clause. I think it is an act of justice to say that but for the efforts of Robert Ewing, the man who has been most maligned in this gubernatorial campaign, sugar to-day would be upon the free list."

* * * * * * *

FRANKLIN, *March 16.*

"Senator J. E. RANSDELL spoke to a large and enthusiastic audience here Tuesday night. Ex-Senator Murphy J. Foster presided over the meeting. On the sugar question Senator RANSDELL said:

"When the sugar fight came on all of the true friends of the industry of Louisiana felt that the fight had gone forth and that sugar would be placed on the free list. The Hon. Murphy J. Foster was doing all that he could. I was doing my best, and it was decided in a conference that the one man in Louisiana that could do more for sugar than anyone else was Robert Ewing, of the city of New Orleans.

"I made the original suggestion that he be sent for, and in response to our appeal he came to Washington at once. Mr. Ewing had led the fight for Woodrow Wilson at the Baltimore convention. He had worked for the nomination of Mr. Wilson, and after the nomination Mr. Ewing was one of the committee of fifteen who had charge of his campaign.

"Mr. Ewing was also very close to Postmaster General Burleson, who was one of the most influential members of the Cabinet.

"I can testify that no man worked more enthusiastically and unselfishly than Robert Ewing for the cause of sugar.

"He asked and worked for a reasonable duty to be retained on sugar, and did his utmost to secure it. Failing in that, he appealed to President Wilson to consent that the placing of sugar on the free list be delayed for a period of seven years. It was finally agreed to give them three years of grace.

"Your distinguished ex-Senator was there doing his utmost, and I was working with him. It was splendid team work; but if one man more than another was a leader in that fight, it was Robert Ewing, of New Orleans.

"To Robert Ewing more than to any other man in the State of Louisiana the sugar planters owe the three years' extension of the sugar tariff. I am no apologist for Mr. Ewing. He can and will take care of himself, but in simple justice to him I must tell you that the sugar planters of the third congressional district owe Mr. Ewing a debt of eternal gratitude for the fight he made for them at Washington.

"The fight that Mr. Ewing made at Washington almost estranged him from his own party, but nevertheless he made it honestly and sincerely.

"Mr. Ewing remained in Washington during the entire time that the sugar question was under consideration, and notwithstanding the very urgent offer of the sugar people to pay his expenses he refused to accept even that much for his services, not only giving his time and talent to the sugar people but paid every cent of his own expenses."

Senator Foster, before the meeting adjourned, said that in simple justice he wished to confirm the statement made by Senator RANSDELL, and that he wished to state publicly, what he had frequently stated in private conversation, that Mr. Ewing worked night and day in the cause of the sugar industry of this State on that occasion, and that he also agreed with Senator RANSDELL in his statement that it was largely, if not entirely, due to the work of Mr. Ewing that the three years' extension was inserted in the tariff bill."

Years devoted to the public service have taught me that no matter what may be the rectitude of one's course, one is sure at times to be misunderstood by well-meaning men and to be misrepresented by men of evil mind.

I have had my share of both these experiences, and, indeed, probably all men who have long served in a public capacity have met with the same fate. To be misrepresented, to have facts distorted, situations enlarged or minimized for selfish, malicious, or misguided purposes, is doubtless the price paid by those who occupy positions of trust. I have long since made it a rule to pay little or no attention to criticisms, no matter how unfair or unjust, believing that if one sort of criticism, unjustly applied, required a reply, all criticisms must lead to the same course.

But, Mr. President, the quotation which has just been read was uttered by a Member of this body and published in a newspaper owned and edited by the very individual whom he wished to praise and whose publications regarding myself have for many years been directed toward misrepresenting my position upon public questions, criticizing my course in public affairs, and which have been intended to destroy my usefulness as a public servant.

I feel that this is an unusual situation and that my duty, as much to myself as to the people whom the Senator addressed, who have honored me with unopposed election to the House of Representatives for 18 years, and who have helped so materially to promote me to my present position as a Member of this body, demands this course. The men to whom the Senator addressed himself are my friends and neighbors, one and all. They have known me from early childhood. A large portion of them are related to me by either blood or marriage. Their faith and trust in me have been abundantly proven, and the good name which I have built up among them for truth and loyalty to their interests is possibly the only thing in which I have grown richer with the years of my service in Congress.

These statements made by the Senator are at utter variance with what I have told them. If the Senator's statements be correct, then I am placed in the attitude of having been both deceitful and disloyal toward them in return for confidence and faith reposed in me by them. I can not remain silent without at the same time occupying a position of embarrassment and humiliation; but more, I can not remain silent without permitting them to be deceived as to those inimical and antagonistic to their dominant interest.

My relations with my colleague [Senator RANSDELL], covering a long association in the other branch of Congress, have been such that I regret beyond the possibility of expression that I am compelled to take issue with him upon any question anywhere, and more especially in this Chamber. From the bottom of my heart I wish some other course were open to me or that a commanding duty both to myself and to the people of Louisiana permitted me to remain silent.

My colleague recently returned from a tour of campaigning in Louisiana. So far as the papers have advised me, his efforts were addressed to the voters of the third congressional district of that State, the district I had for a long time the honor to represent in the House before becoming a Member of this body. About the time of his return the New Orleans States, an evening publication of the city of New Orleans, owned and edited by Robert Ewing, Louisiana Democratic national committeeman, reached me, containing a summary of the accounts of two meetings addressed by the Senator which I have just read.

I did not believe that the statements could be made by the Senator, and therefore withheld comment on them until I should, in justice to him, verify their correctness. At the first opportunity I submitted the newspaper account of the speeches to the Senator, requesting him to read it, and to inform me whether he was correctly reported. He informed me that he had read the statements and that he was correctly reported. True, that night he telephoned me to say that after rereading the report of his statements at Lafayette and Franklin in the Daily States he had found that he had been incorrectly quoted in two minor instances. I replied that his statements as reported were unwarranted and unjust, and I repeated to him my statement of the morning that it was my purpose to refute them in justice to myself, and as a warning to those who had read them; that these statements had received large circulation, and that his correcting any part of them to me over the telephone did not correct the evil of which I complained with regard to them, and could not remedy the evil unless given the same publicity which the statements themselves had received. I have waited a reasonable time to make this statement on the floor of the Senate, in order that proper correction might be made by the Senator. No such correction has been made, but on the contrary the offense is aggravated by the publication, in the same paper, of a stenographic report of the Senator's speech at Thibodaux, in which, substantially, the Senator repeats these statements. I have therefore concluded that I could not abstain longer from correcting the impression which these statements have made upon the people whose attention has been called to them by their publication.

This explains the necessity for my trespass upon the time and the patience of the Senate in order that I might discuss the verity of the statements.

I need not state to my colleagues on this floor that in a public service of 19 years in Congress I have left behind me in Loui-

siana my fair share of political enemies. All of us, doubtless, have accumulated these in any course of long service, and many of us are rather proud of our accomplishments in that direction. I can truthfully say that the crop which I have raised during my service gives me little concern on the one hand and, on the other, at times it is helpful. When these enemies can all be located, acting in unison upon a given question, I find little difficulty in determining the course that I should pursue.

Now, we all know that this has been an exceptionally important session of Congress. There has not been a day when anyone could foresee what the next day would bring forth. The President himself used a similar expression even long before the German controversy became acute, and before it became necessary for us to exert the arm of the military to protect American lives on American territory on the Mexican border.

I shall not now speak of the many vitally important matters to Louisiana that are pending at one or the other end of this Capitol. I need but say that as a member of the Military Affairs Committee in its efforts to reorganize the Army and to prepare for our country's defense, I have not found it possible to absent myself from the Capital at any time since the convening of Congress. My political enemies, great tacticians in the art of political maneuvers, have not been slow to take advantage of this situation. Claiming, on the one hand, an overwhelming victory for the Democratic ticket, persistent efforts have been made by them to compel me to abandon my duties here in order to take part in the pending campaign. The quoted statements from the Senator's speeches in my old district are, in my judgment, part of this plan. A simple quotation from the Senator's speech at Lafayette will describe the claims being made for the ticket:

"I believe that this is a Democratic audience and will agree with me.
"Put the crowd to a vote," said a man in the audience.
"That would be unnecessary, my friend," the Senator replied quickly. "We had an election in Louisiana on January 25, and out of a possible 142,000 voters 114,000 declared this State to be Democratic. And I know that most of those 114,000 men are honorable. They will not repudiate the Democratic Party after having participated in its primaries. I have been running for office nearly all of my life, and I know that honesty is the best policy in politics as it is in business."

I have courteously declined to leave my duties here to join in speech making in Louisiana during these critical days to our Nation; and, notwithstanding this overwhelming estimate of the Senator's, I find my enemies busy by every device to harass and embarrass me in this attitude. I have discussed this situation with the Senators who have control of this legislation in the Senate and who are aware of the work in which I am engaged, and they have urged me to remain here. Assuming, as I must, that my duty to myself and to the people of Louisiana require that I take cognizance of the Senator's statements, and realizing my inability to go to Louisiana to refute them, I see no way of correcting them other than in the manner I am pursuing.

Let us analyze the Senator's statements. At Lafayette the Senator said:

I had previously arranged an interview with the President for Senator BROUSSARD and myself. That interview lasted 15 minutes—15 minutes was all the time that we, the Louisiana Senators, could obtain to state our case to the President.

That statement is not true.

In the first place the instance to which the Senator refers occurred in the first part of April, 1913. At that time I was not Senator, but I was a Member of the House of Representatives, representing the people of the very district the Senator was addressing.

Mr. RANSDELL. Mr. President——

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the Senator from Louisiana yield to his colleague?

Mr. BROUSSARD. Certainly; I yield.

Mr. RANSDELL. I should like to ask the Senator if I did not tell him on the night of the 21st instant, when I spoke to him, that I had read that interview very hastily on the train in Louisiana, and when I read it over carefully after he spoke to me on the floor of the Senate I noticed that it stated there had been an interview between the President, himself, and myself, and that this statement was an error; that the interview referred to had been between the President, ex-Senator Foster, and myself? Did I not explain that to the Senator?

Mr. BROUSSARD. Is that the Senator's question?

Mr. RANSDELL. That is my question.

Mr. BROUSSARD. The Senator did say that; and I called the attention of the Senator at the time to the fact that he could not go into Louisiana and secure the publication throughout the State of a statement that was not correct, and then correct it at night over the telephone to me; that he had to give the correction the same publicity that his statement had been given in the State of Louisiana through the papers that quoted him.

I wanted to be fair to the Senator. I submitted this statement to him, and asked him to read it and to correct it before I took any position; and the Senator glanced at it, said he had read it, and that he was correctly reported.

Mr. RANSDELL. That occurred on the floor of the Senate, did it not, when I was quite busy? That afternoon I read it carefully and called my colleague's attention to the fact that it contained misstatements in two particulars.

Mr. BROUSSARD. Oh, well, yes; it occurred upon the floor of the Senate; but I had gone to the Senator and told him that I intended to refute these statements in some way unless he told me that he was not correctly reported.

Mr. RANSDELL. Now I wish to ask the Senator——

Mr. BROUSSARD. I do not want to engage in any controversy at this time.

Mr. RANSDELL. I am not going to do that.

The PRESIDING OFFICER. Does the Senator from Louisiana further yield to his colleague?

Mr. BROUSSARD. I do. I want to give the Senator every opportunity. I have given him that opportunity and waited a week to see the publication, because any correction that the Senator might have made had to be sent to New Orleans, and then the paper had to be published and come back here. I have waited ample time for the Senator to correct not only this unimportant thing, but the important parts of this statement, which do me an injustice and do the people of the State an injustice,

Mr. RANSDELL. I wish again to ask the Senator if I did not specifically say to him that night—the 21st instant—that the reported interview was incorrect in using his name when it should have used ex-Senator Foster's name; and if I did not tell him that I had not had any interview with him in connection with President Wilson, when only 15 minutes' time was given us, but the interview I referred to was between ex-Senator Foster, the President, and myself, when we were given 15 minutes? I stated that to the Senator, did I not?

Mr. BROUSSARD. Oh, yes, Mr. President; and I called my colleague's attention to the fact that if he made any corrections they should be given the same publicity that the statement had received, since I was being criticized upon this question and I conceived it to be my duty to remain here and attend to the public business.

Mr. RANSDELL. I should like to ask the Senator if I did not also tell him at the same time that the reported interview quoted me incorrectly in saying that Mr. Ewing had more influence than all the Members of Congress combined?

Mr. BROUSSARD. I will reach that point in a moment.

Mr. RANSDELL. That I had said that he had more influence than any other one man?

Mr. BROUSSARD. I want to submit to the Senator whether it is fair for him to go to Louisiana and in a public speech charge that two United States Senators here in Washington and eight Members of the House from that State had less influence than the national committeeman, and then come over at night and telephone me that he was misquoted in that paper, and make no effort to correct the impression that he had left behind in Louisiana? I ask him if he conceives that to be an adequate explanation of being misquoted?

Mr. RANSDELL. Did I not tell the Senator at the same time——

Mr. BROUSSARD. Well, Mr. President——

Mr. RANSDELL (continuing). That the interview from Franklin——

Mr. BROUSSARD. I decline to yield further for a question on that point. I do not deny and I have already stated that the Senator rang me over the telephone and corrected two statements with regard to that publication, and that I informed him that those corrections should be given the same publicity that the statements themselves had received. There is no necessity for having any discussion about that matter. I do not deny that the Senator said that. To the contrary, I said that he admitted having been misquoted, but he declined to pursue the course which I would have pursued if my attention had been called to a misstatement that did injury to anyone.

Mr. RANSDELL. Mr. President, will the Senator permit me——

Mr. BROUSSARD. I decline to yield further upon that point.

Mr. RANSDELL. It is not on that point.

The PRESIDING OFFICER. Does the Senator decline to yield?

Mr. BROUSSARD. No; I yield if it is on some other point.

Mr. RANSDELL. The Senator has two interviews before him there, in the same paper, and one of them is from Franklin,

Did I not tell the Senator that the Franklin interview was correct and the one from La Fayette was incorrect?

Mr. BROUSSARD. These are not interviews, Mr. President. They are speeches delivered by the Senator.

Mr. RANSDELL. Will not the Senator state whether I told him that the Franklin notice was correct and the La Fayette one was incorrect?

Mr. BROUSSARD. Yes; and the Franklin notice is no more correct than the La Fayette one, as I will prove.

Mr. RANSDELL. All right.

Mr. BROUSSARD. Nor had the Senator made any such engagement for me with the President; nor had I gone with him to see the President for 15 minutes or for any other period of time. The Senator should not belittle me, no matter what spirit possessed him to humble himself, that by contrast he might elevate the national committeeman, Robert Ewing, in the eyes of the audience which he was addressing.

At La Fayette the Senator said:

"Just before the Underwood tariff bill went to the Senate, the President called Senator BROUSSARD, Mr. Ewing, and myself into conference. We three pleaded with the President for a three-year extension of the tariff, but could not move him. Senator BROUSSARD and myself left, and Mr. Ewing remained behind with the President. The next day the tariff bill came out with the three-years' clause. I think it an act of justice to say that but for the efforts of Robert Ewing, the man who has been most maligned in this gubernational campaign, sugar to-day would be on the free list."

This statement, like the one first quoted, is also untrue. The bill was pending at the time before the Ways and Means Committee and the report of that committee was not to the Senate but to the House, nor was its report made "the next day." The visit to the President referred to by the Senator was on April 5, 1913. The report of the Ways and Means Committee was made to the House on April 21, or 16 days later than the Senator says. Nor did Senator Thornton, the colleague of Senator RANSDELL, visit the President that day or any other day with Senator RANSDELL, or alone or with anyone else. To substantiate this statement I quote Senator Thornton's testimony to the Senate Lobby Investigating Committee, page 967—speaking of the alleged visit of the Louisiana Senators to see the President:

Senator THORNTON. Pardon me, Mr. Chairman, you said that the Senators had been to see him—I have never seen Mr. Wilson on the subject.

There were many men from Louisiana in conference with us at that time—men engaged in the cultivation of sugar cane and in the manufacture of sugar. At a conference on the day to which the Senator refers it was decided that the Senator and the national committeeman should seek an audience with the President and present additional matters for his consideration, with a view of avoiding the pending ruin of our leading industry. Senator Thornton was in Louisiana and did not attend the conference. The appointment for them was made with the President for 8 o'clock that evening. Tired and worried over the arduous work which we were doing, as soon as the conference dispersed I repaired to my office in the House Office Building. Finding my secretary absent and with a view of eating dinner quietly, I went to the Powhatan Hotel, and there my secretary found me and informed me that the President had several times telephoned for me, saying that he wanted to see me at once. At the Powhatan I had met the Senator and the national committeeman, who had invited me to dine with them. My secretary and I repaired at once to the telephone, and he immediately secured connection with the President in person. Upon taking the phone the President informed me that he had been trying to reach me since 4 o'clock, and that he wanted to see me as soon as possible. I told him that I understood he had an appointment with the Senator and the national committeeman for 8 o'clock; that it was then 7 o'clock; that I was not only very tired but extremely hungry, as I had not eaten anything since early morning. I closed by saying that if agreeable to him I would eat my dinner, which had already been ordered, and would call in company with the Senator and the national committeeman. Together we three reached the President's office at 8 o'clock, and he was awaiting us. We discussed the matter in hand quite at length. I do not care to, nor is it necessary that I should at this time, relate any of the particulars of our discussion. At 50 minutes after 8, the President remarked the hour and said that he had an appointment with Congressman UNDERWOOD, then chairman of the Ways and Means Committee, for 9 o'clock, and as he arose we also arose and moved toward the door.

The President not having had the opportunity to speak to me about the matter which he had in mind, and about which he had been telephoning me since 4 o'clock, came up to me and requested me to remain a moment; and while the Senator and the national committeeman moved out of the room and downstairs I remained to talk over with the President the matter about which he was anxious to see me. This will explain why it was I, and not the national committeeman, who was requested to remain to speak with the President when the conference was ended. It must have been 9 o'clock when the President and I parted and I went downstairs to join the Senator and the national committeeman. And as we walked out of the front door of the White House we met and stopped and shook hands with Congressman UNDERWOOD on his way to keep his appointment with the President. It is not true, therefore, that "the President called Senator BROUSSARD, Mr. Ewing, and myself [the Senator] into conference." Nor had Mr. Ewing remained to talk with the President while the Senator and I moved away, as the Senator says. It was I who remained to speak with the President of the matter which he had in mind and about which he had telephoned me. I have a most distinct and vivid recollection of the fact, as I have of every fact that transpired at that conference. The President had not had the opportunity to speak to me until the other two had left the room, and it was for that reason that he detained me and permitted the Senator and the national committeeman to withdraw from his presence. This was the last visit which I have had the honor to pay the President, and I can not be mistaken with regard to the circumstances I relate. If, therefore, the Senator means to convey the idea—as his language indicates—that in some mysterious way the national committeeman had whispered the word to the President which he and I had not heard, which caused the President to change his attitude on this question after our failure in a 50 minutes' discussion to convince him, it is evident that he draws his facts from his imagination.

But this is not all the evidence on the subject. After the conference we joined the delegation in order to enable the Senator and the national committeeman to report the result of the conference with the President. I was present when the report was made and no such report was made indicating in the slightest manner what the Senator now says had transpired at the White House. The gloom that settled on the assembly well depicted the nature of the report. I recall distinctly the ominous silence that prevailed like a pall on every hand. The despair of some of the people who were present, since to them it meant bankruptcy and utter ruin. Each could see the dire disaster that would follow the making of sugar immediately free. Those who felt that they might survive saw in their mind's eye their neighbors and friends driven to destitution. All realized that a catastrophe was imminent from which none would escape—neither rich nor poor, neither white nor black, neither young nor old, nor men nor women. No one of us entertained any hopes of anything but immediate free sugar, as the result of the report of that interview had by the Senator and the national committeeman with the President, which I had, as by accident, attended. Is it possible that while this scene was presented to the eyes of Robert Ewing, that he had securely locked in his bosom the assurance that there would not be free sugar for three years? If so, as the Senator would have us believe, then Robert Ewing paints himself a far worse man than I believe him to be. And when did the Senator first acquire the knowledge which he so flippantly imparts to an astonished people, after so long a lapse of time? I am curious to know, as that would prove the most important part of his revelations.

The newspaper accounts of that date bear out my statement as to the report made by the Senator and the national committeeman.

The Daily Picayune, of New Orleans, of April 6, 1913, contains this report:

WASHINGTON, *April 5.*

"President Wilson's proffered compromise on sugar, which should mean a 1-cent-a-pound duty for three years and then free sugar, was rejected to-night by Senator RANSDELL, Representative BROUSSARD, and Robert Ewing, Democratic national committeeman from Louisiana.

The Louisianians to-night carried to the White House a strong protest against free sugar adopted to-day at a meeting in New Orleans of the American Cane Growers' Association.

Deadlocked with the White House and standing fast for protection of sugar.

That was the situation late to-night in the Louisiana congressional delegation, who have not budged 1 inch from their original position that sugar must be adequately protected, and who have rejected to date President Wilson's ultimatum that a duty of only 1 cent per pound be placed on sugar, with the commodity free in three years, or the alternative of a free-sugar bill.

The situation to-day was practically the same as yesterday. The Louisiana Congressmen, and the other Louisianians here to fight to preserve destruction of the great industry, held two conferences—one at noon and the other late this evening. It was unanimously decided that it would be impossible to accept a 1-cent-per-pound duty, with free sugar in three years, and the delegation decided to stand pat and let President Wilson do his worst and carry out his implied threat to

have the Ways and Means Committee bring in a free bill unless the 1-cent duty was accepted.

Telegrams from Louisiana sugar interests, principally from New Orleans, arrived in an avalanche to-day addressed to members of the delegation, saying that the 1-cent compromise, with free sugar in three years, was not wanted, and would not be acceptable.

The stumbling block is over the three-years' free-sugar schedule. 'Louisiana cane interests would accept a 1-cent net duty, but not free sugar in three years,' said the telegram."

* * * * * * *

"Mr. BROUSSARD explained to Mr. Wilson the Canadian sugar tariff, whereby for every ton produced in Canada 2 tons are admitted duty free. Mr. BROUSSARD suggested that a modification of this plan—one free ton for every domestic protected ton produced—might solve the problem. It was a new idea to Mr. Wilson, but the President intimated that it was now too late to adopt anything new.

Mr. Ewing told the President that a compromise might be effected so that a 1-cent duty could be placed on sugar, and it could be arranged that free sugar in three years be left discretionary with the President at the end of that time and not mandatory by act of Congress.

This did not strike Mr. Wilson favorably, but he said he would consider it. He listened attentively to the arguments, but his attitude, as it has always been, was noncommittal. The delegation got the impression, however, that Mr. Wilson intends to insist on his program.

Chairman UNDERWOOD, of the House Ways and Means Committee, reached the White House just after the Louisianians left. He brought a copy of the completed tariff bill for the President's final approval. Mr. UNDERWOOD discussed the proposed sugar compromise briefly with the President, but it was understood that no changes were made in the bill as it left the Ways and Means Committee to-day. It was carried to the Government Printing Office to-night by Mr. UNDERWOOD himself, and he expects to have it in readiness for consideration of the majority members of the Senate Finance Committee which will meet late to-morrow."

The Times-Democrat, of New Orleans, of the same date, contains this report:

WASHINGTON, *April 5.*

"President Wilson's proffered compromise on sugar, which would mean a 1-cent-pound duty for three years and then free sugar was rejected to-night by Senator RANSDELL, Representative BROUSSARD, and Robert Ewing, Democratic national committeeman from Louisiana. The Louisianians to-night carried to the White House a strong protest against free sugar adopted to-day at a meeting in New Orleans of the American Cane Growers' Association.

They predicted the ruin of the industry if the President persisted in his determination to eliminate all duty from sugar. They offered as a compromise the suggestion to the President that he indorse a 1-cent duty on sugar for three years, with the provision that sugar be made duty free at the end of that period if, in the President's opinion, it at that time was advisable. They pointed out to the President that such a proviso would enable him to investigate the claim that a great industry would be ruined by the removal of duty, and told him that he would be able to insist just as strongly upon free sugar then, if he saw fit, as he is doing now.

Although the delegation was in conference with the President for more than an hour, he gave no intimation as to whether he would consider their offer of a compromise.

Chairman UNDERWOOD, of the House Ways and Means Committee, reached the White House just after the Louisianians left. He brought a copy of the completed tariff bill for the President's final approval. Mr. UNDERWOOD discussed the proposed sugar compromise briefly with the President, but it was understood that no changes were made in the bill as it left the Ways and Means Committee to-day."

It is apparent from these reports that the Underwood bill having embodied a provision for free sugar, the President at no time, as reported to the delegation by the Senator and the national committeeman, wavered one instant or intimated in any way that he had in the least changed his determination to support the free-sugar clause. On the contrary, these reports bear me out that the President insisted on his position, and they may be accepted as conclusive proof that the President did not make any such promise to Robert Ewing as the Senator states.

At La Fayette the Senator said:

But I knew that Robert Ewing, the greatest Wilson man in Louisiana before the Democratic nomination convention, the leader of the Wilson forces in Louisiana after the convention—

And so forth.

From this statement it is evident that the Senator is as unfamiliar with what transpired at Baton Rouge on June 4, 1912, as his memory plays him false with regard to what transpired in Washington preceding the report by the Ways and Means Committee on the Underwood bill. True, the newspapers of the national committeeman had been supporting the candidacy of Gov. Wilson.

Before the State convention met an understanding was reached among the contending factions in Louisiana regarding both the personnel of the delegation to be sent to Baltimore and the adoption of the unit rule, which was inimical to the candidacy of Gov. Wilson. Robert Ewing was a party and a beneficiary of this political deal. I was in Washington, as were the other members of the delegation, including the Senator. Upon being apprised of the situation I repaired in great haste to Baton Rouge. I reached that city on the day prior to the meeting of the convention. I found that the entire delegation had already been selected in private conference, the two factions of the party in Louisiana having combined in the support of the candidacy of Speaker CLARK. The national committeeman's paper, the Daily States, in its edition of 2.30 p. m., June 4, 1912, contained a list of these delegates. The convention itself did not meet until 8 o'clock the same evening. Following this list, among other things, appears this item of news:

The meeting will be called to order by Thomas H. Lewis, chairman of the Democratic State central committee, and the temporary chairman, who will be made the permanent chairman, is L. E. Moss, of Lake Charles. Blanchard, Barrett, and Thomas were all eliminated in the interest of harmony. All this, barring the battle engineered by ROBERT F. BROUSSARD and F. C. Claiborne, planned last night and this morning at the last moment of the situation, does not indicate that the battle will develop into anything serious.

The national committeeman's paper carried, straight across the front page of that edition of the paper in large type, "The delegates stand 13 to 7 for Clark." And in large type, after naming those who would be delegates, giving to each his designation for Wilson or Clark, as the case might be, there appears the following paragraph:

It is practically agreed that the unit rule shall be adopted, that Gov. Hall will be the chairman of the delegation, and that the conference to decide upon the action in Baltimore shall be taken after the arrival of the delegation.

The other evening paper, the New Orleans Item, in the edition that reached Baton Rouge just prior to the convening of the convention, which was at 8 o'clock at night, carried across the page similarly as the States had carried it the following:

"Our delegation 14 to 6 for CLARK, and will vote as a unit."

This paper was supporting Speaker CLARK and gave him one more vote than the national committeeman's paper, supporting Wilson, conceded to the Speaker.

Speaking of Robert Ewing, the Item of that issue says:

"His papers indicate that he is forgetting a good deal about Wilson, and his activities here indicate that he is thinking deeply about Ewing."

That was the correct attitude of the national committeeman that day.

Now, no sooner had the convention convened, and before the temporary chairman had concluded his address, as I walked into the hall the delegates called for me. In a storm and uproar I was carried to the speaker's platform, the convention being held in the hall of the house of representatives. I spoke briefly against Speaker CLARK and the delegation's instruction to vote as a unit. As I concluded calls were made for Congressman Wickliffe, who had reached Baton Rouge shortly after my arrival there, and who was a supporter of Speaker CLARK. He spoke in the Speaker's behalf and for an instructed delegation to Baltimore. The delegates continued the uproar, demanding that I reply to Congressman Wickliffe, which I did in an address of not exceeding five minutes. The convention got down to work. The delegates were selected as secretly planned and then a motion was made to instruct the delegation to vote as a unit, which was the other part of the same plan agreed upon by the factions. The success of this motion necessarily would have given the majority of the delegation the right to vote the minority, and as Speaker CLARK was conceded to have a majority of the delegation, clearly the entire Louisiana vote would have been cast for the Speaker on the first ballot and permanently thereafter. Instead he received 12 votes to Gov. Wilson's 8 on the first ballot, reduced to 2 to Gov. Wilson's 18 on the last and many previous ballots.

The motion was promptly made to table the resolution of instruction. A roll call was demanded and carried. Upon the roll being called the tenth ward of New Orleans voted for the unit rule. Robert Ewing, said by the Senator to have been the leader of the Wilson forces in Louisiana, is the boss of that ward. In fact, he is much better known as boss of the tenth ward than as either national committeeman or newspaper man. He knew full well that the success of his vote meant a unanimous Clark delegation, yet he cast it in betrayal of the candidacy of Gov. Wilson, whose leader the Senator tells us he was. The resolution was nevertheless tabled and the fight I led for an uninstructed delegation triumphed. Thus it was that through the efforts of the Wilson forces, of which I had been the spokesman on the floor of the convention, Robert Ewing was saved from himself, and his vote preserved for Gov. Wilson even over his own protest.

But, Mr. President, how could the Senator know what was going on in Baton Rouge when these stirring events were transpiring? He was here at the Capitol, busy sending telegrams to Baton Rouge, urging the convention to come to the support of Speaker CLARK. He was ignorant of the movement which Wilson's friends, including myself, were engineering to save for Gov. Wilson the few votes which had been secretly allotted us by the national committeeman and his allies in the State in apportioning the delegation. The national committeeman was looking to his own candidacies. He was busy with more important things. He was looking to his trade for two positions

for himself. We have already seen how he got one of these; and here is how he got the other:

The Times-Picayune, Sunday, March 12, 1916, says:

"John M. Parker, in a recent speech, charged Robert Ewing with having broken faith with the men who secured Mr. Ewing's reelection as Democratic national committeeman from Louisiana in 1912. He asserted that Mr. Ewing was made national committeeman by Gov. Hall at the request of a number of reform leaders, particularly Daniel D. Moore, editor of the Times-Democrat, and that after obtaining the office Mr. Ewing broke his solemn promise to these men to stand by the cause of reform, to fight the "ring," and to support the Hall administration.

Mr. Ewing, in his newspaper a day or two later, vigorously denied both propositions and asserted that his election was due to his great popularity and strength with the Democrats of the State.

Mr. Ewing is the storm center of the present State campaign. The political power, which he gained in large measure through the very maneuver in question, has made him a campaign issue. It therefore is considered fitting that a statement should be made at this time of the circumstances which led up to Mr. Ewing's election and of his subsequent actions. This narrative is based upon the statements of the men involved. The recollections of these men are agreed as to the details. Only Mr. Ewing's newspaper has a different version.

It will be recalled that Mr. Ewing broke with the city organization over the candidacy of John T. Michel for governor and supported Dr. James B. Aswell. Realizing that Michel's election meant his own elimination as a political factor, Mr. Ewing promptly declared for Judge Luther E. Hall, the Good Government League candidate, on the elimination of Dr. Aswell in the first primary. He later induced Dr. Aswell to follow him.

Through his newspapers and individually he announced his intention of supporting the Hall administration. The league faction in the tenth ward responded by giving their support to Mr. Ewing's candidates for the House and Senate in that ward. When this took place the Michel candidates withdrew.

The primary over, Mr. Ewing reached out for the Hall people, with the reelection of himself as national committeeman in view. He was a frequent visitor to the office of J. Zach Spearing, who, as chairman of the league's State campaign committee, naturally became one of the principal advisers to the governor-elect. Through Mr. Spearing Mr. Ewing reached a number of influential Hall supporters. He then let his candidacy become known.

Mr. Ewing's candidacy was received with favor among reform leaders. Judge Hall felt kindly because of the part Mr. Ewing had taken in breaking up the agreement of Dr. Aswell to support John T. Michel after the first primary. Among reform leaders in New Orleans, Col. Ewing was regarded as a valuable asset because of his knowledge of the inner secrets of the "ring," and the fact that Ewing's desertion would leave the "ring" without aggressive newspaper support in the city. The country leaders of reform were somewhat divided. Some doubted Ewing and others thought it good politics to reelect him national committeeman and keep him in line with the reform cause.

MADE NO INDORSEMENTS.

The editor of The Times-Democrat had refrained from indorsing anyone for appointment or election to any office after the primary. He desired to leave the new governor free to act on his own judgment, and personally to keep out of politics.

He was approached during this period by Mr. Ewing, who rehearsed his fight with the "ring" and declared he had burned the bridges behind him. He said he wanted to get out of local politics and intended to give up the leadership of the tenth ward and devote his entire time to his newspapers. He added, however, that he would be glad to cooperate with the Good Government League and intended to support the administration of Gov. Hall. He said most emphatically that under no circumstances would he go back to the organization and to Behrman. Then he asked Mr. Moore to use his influence with the governor in behalf of his candidacy for national committeeman.

To Mr. Spearing Mr. Ewing made very similar assurances. He said he would support the Hall administration and its measures. He made the reservation that he could not support the league in the city fight without a reorganization of its committees, but was specific and emphatic in his declaration that he would not support Mr. Behrman nor go back with the "ring."

RELIED UPON ASSURANCES.

On these assurances that he would support the governor and oppose the "ring," and on the urgent request of Mr. Ewing, the editor of the Times-Picayune called on Gov. Hall the day following the inauguration and urged that the executive give his support to Mr. Ewing.

The preceding day Mr. Ewing attended the inauguration of Gov. Hall and had given every evidence of being an enthusiastic supporter of the new administration.

The governor was much impressed; Mr. Moore and Mr. Spearing were convinced.

On the governor's decision the matter rested. With the governor's indorsement Mr. Ewing's election was assured. With the governor opposed, his election would have been impossible. Great bitterness still existed between Mr. Ewing and the city organization. Many country leaders still distrusted Mr. Ewing and viewed him merely as a boss temporarily at outs with his fellows. Except his own tenth ward delegation, Mr. Ewing had few friends in the State convention.

While inclined to be friendly with the tenth ward leader, Gov. Hall had remained noncommittal until the editor of the Times-Democrat made strong representations. Mr. Moore was of the opinion that Mr. Ewing should be reelected because of his fight against the machine and his promise to continue that fight. Mr. Moore believed Ewing sincere in his assurances for the future, and that depriving the "ring" of Ewing and the States in the city fight would create a highly favorable situation for reform. And he thought, moreover, that Mr. Ewing would in the end actively support the league ticket.

YIELDS TO REQUEST.

The governor yielded to the request of Mr. Moore. As he has said on numerous occasions since: "The Times-Democrat was one of the chief instrumentalities in my election. I counted on its support for my policies. I had confidence in the judgment of its editors, and felt that if they considered Mr. Ewing's election desirable as a means toward the success of their fight against the machine they knew what they were doing."

In this shape events moved up to the week of the convention. In the meantime, Mr. Ewing and the States had declared for Woodrow Wilson for the Democratic nomination. Gov. Hall favored CHAMP CLARK. By the Saturday before the convention the fight for the Louisiana delegation had become rather lively.

As the head of the Orleans group in the convention, Mayor Behrman called on Gov. Hall and suggested a working agreement. The mayor and all the Orleans leaders except Mr. Ewing were for CHAMP CLARK. The mayor suggested that the city was entitled to name three of the six delegates at large, provided, of course, the names suggested were not objectionable to the governor and his friends. The governor answered that he thought the proposal fair.

Word of this agreement reached the ears of Mr. Ewing. He wished to be one of the delegates at large, but did not want to put himself under obligations to Mayor Behrman. So he made a direct appeal to Gov. Hall explaining the situation. He asked the governor to suggest his name as one of the city's three.

The governor called on the mayor and asked the mayor to include Mr. Ewing as one of the three delegates at large to be named from the city. The mayor readily agreed, although he added: "We don't like and have no use for Ewing."

WAS DISQUIETING.

The situation, however, was disquieting to Mr. Ewing. The convention was for June 4. On June 1 Mr. Ewing went to the editor of the Times-Democrat much exercised over reports to the effect that he could not count on the support of the governor in the nomination. In the presence of Thomas G. Rapier, then general manager of the Picayune, Mr. Ewing urged Mr. Moore to go to Baton Rouge the following day (Sunday) again to urge the governor to support him for national committeeman.

Mr. Moore replied it was impossible for him to go, and in the light of his previous understanding with Gov. Hall he considered it unnecessary. But Mr. Ewing was so insistent that finally Mr. Moore agreed to send Norman Walker, associate editor of the Times-Democrat, to Baton Rouge to see the governor. Further, at the urgent request of Mr. Ewing, Mr. Moore agreed to call Gov. Hall by telephone Sunday morning and to inform him that Mr. Walker was on his way to see him on an important matter and that Mr. Walker spoke for Mr. Moore.

Mr. Walker saw Gov. Hall, and the governor again gave his assurances that he would support Mr. Ewing. The same day Mr. Moore left the State for a month's vacation, taken on advice of his physician.

The opposition to Ewing had not died, however. Ferd C. Claiborne and some other independent Democrats who refused to believe in Mr. Ewing's good faith threatened to fight anyway and attempted to organize an anti-Ewing movement among the convention delegates. The governor had to step in to placate these insurgents.

PROGRAM WENT THROUGH.

Except for a fight between the Clark and Wilson followers, in which the governor had friends on both sides, the chief executive's program went through the convention without a hitch. Mr. Ewing was elected national committeeman and a delegate to the Baltimore convention.

The next day, or possibly the second day thereafter, Mr. Ewing's paper, the States, made its first attack on Gov. Hall in an article which said the governor had been whipped in the convention.

Mr. Ewing went to the national convention; then to Sea Girt; and then to Chicago. He returned to New Orleans shortly before the city fight. Mr. Moore, absent from June 2 until the beginning of July, had not heard from him during this period. On Mr. Ewing's return Mr. Moore, Mr. Caffery, and others of the Good Government League made several unsuccessful attempts to see him.

But Mr. Ewing, already cool toward the governor, went the rest of the route and again combined with Mayor Behrman and the "ring."

His statements about Mayor Behrman were forgotten, as were his aims to get out of local politics. His definite promises to fight the "ring" and use his paper for better influences in politics were treated as unmade. The old harmony in machine ranks was restored with Ewing on top, the master of the situation. He had taught the other bosses a lesson, and they were prepared to obey."

Continuing the last-quoted sentence, in order to accentuate the influence exercised by Robert Ewing, the Senator says:

A member of the Wilson campaign committee of 15.

Yes; and it was in that capacity that Robert Ewing permitted the hireling of the Sugar Trust, F. C. Lowry, to insert in the Democratic Campaign Textbook a vicious attack upon the leading industry of his own State. It is for this, perhaps, that the Senator says that the sugar planters of the third congressional district are under "a debt of eternal gratitude to Robert Ewing." This Lowry textbook attack upon the domestic sugar industry was a palpable violation of the declaration of the Democratic platform, which has for its first declaration, among others, the following paragraph:

We recognize that our system of tariff taxation is intimately connected with the business of the country, and we favor the ultimate attainment of the principles we advocate by legislation that will not injure or destroy legitimate industry.

Now, Robert Ewing knew, as I told members of the Louisiana delegation and every delegate in the convention who took an interest in the matter, how this plank had been drafted. He knew how it had been drawn and who had drawn it. He knew I had brought the draft to Baltimore from Sea Girt, N. J. He knew that provision of the platform was intended specially to permit the domestic sugar industry to survive the proposed tariff reduction for which the plank declared. He knew these things, because I told them to him, and yet he permitted the one man in the country whom everybody knew was hired by the Sugar Trust to commit the Democratic Party to a policy in direct contravention to its platform declaration.

As a sample of the insert to which I have just referred, contained on pages 149, 150, 151, 152, and 153 in the Democratic

Textbook of 1912, I will quote a few excerpts pertinent to the Louisiana sugar industry:

The total cost to the American consumer annually by reason of the duty is $125,675,000. Of this, $52,300,000 goes to the Government in revenue; the balance goes into the pockets of the tariff-favored sugar interests of Hawaii, Porto Rico, the Philippines, Cuba, Louisiana planters, and promoters of beet-sugar factories as a bounty from the Government.

* * * * * * *

As only $52,300,000 is collected in revenue, the question naturally arises as to what becomes of the balance of $73,450,000 that the American people are called upon to pay. The answer is that it goes into the pockets of the tariff-favored interests of Louisiana, etc.

* * * * * * *

So far as the domestic interests are concerned, the profits go directly into the pockets of certain planters and the promoters of the beet-sugar plants. They are not divided with labor, for Louisiana pays lower wages than Cuba, etc.

* * * * * * *

Hence it is apparent that all of the profit derived from the tariff operates as a bounty not to the farmers or laborers, but to the promoters of the domestic beet factories and the various planters of our tariff-favored sections.

* * * * * * *

No one pretends that the American people are being taxed $125,000,000 annually so as to enrich the sugar planters of our insular possessions; therefore the present tariff is being maintained for the sole benefit of the domestic beet and cane sugar producers.

* * * * * * *

After receiving subsidies both through direct bounties and indirectly through the tariff for over 100 years, the sugar industry of Louisiana, if it can not stand alone, has no further claim upon the American people. It is absurd to ask the Government to continue to tax consumers through the tariff $125,000,000 annually so that Louisiana may produce a crop the yearly value of which is about $25,000,000. We should look to industries that could be of service to the American people and not to industries that the American people must serve.

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Mr. HARDWICK. May I interrupt the Senator? The Senator has made one statement which, in justice to the gentleman to whom he referred, he ought to correct.

Mr. BROUSSARD. Have I made a mistake in saying that Mr. Lowry represented the Sugar Trust?

Mr. HARDWICK. He never did in his life. He never was allied with the Sugar Trust. The Sugar Trust is the American Sugar Refinery. The Senator knows that.

Mr. BROUSSARD. I do not agree with the Senator.

Mr. HARDWICK. It is commonly known in this country that the Federal Sugar Refining Co. is not the Sugar Trust, but the largest of the independent refiners, who compete with the Sugar Trust.

Mr. BROUSSARD. They are all in combination. The Federal Refining Co. and Havemyer have been acting together to exploit Louisiana and Cuba and all tropical sugar countries. I understand the Senator means that he has investigated that question as chairman of a committee of the House. As he knows, I am familiar with that, too. I believe I helped draft the resolution.

Mr. HARDWICK. The Senator ought not to say that the Federal is the Sugar Trust, because the Senator knows that the American Sugar Refining Co. is commonly known throughout the country as the Sugar Trust. The Senator further knows that Mr. Lowry never represented that company. I know that he does not and has never represented the trust.

Mr. BROUSSARD. He has represented the interests of that company——

Mr. HARDWICK. Never.

Mr. BROUSSARD. To this extent: He is employed by Spreckels.

Mr. HARDWICK. That is right.

Mr. BROUSSARD. But his activities have been for the last four or five years in behalf of the Spreckels Refining Co. and the common policy of the American Sugar Refinery and all other seaboard refineries in their effort to destroy the domestic sugar industry.

Mr. HARDWICK. No; the Senator is not correct about that. On the contrary, the American Sugar Refining Co. has always favored the sugar duty and the Federal has always been for free sugar.

Mr. BROUSSARD. The testimony of the American Sugar Refining Co. when I was on the Ways and Means Committee was to this effect——

Mr. HARDWICK. No, sir; in that very year I was present in the room during that very time when the president of the American swore he was opposed to free sugar.

Mr. BROUSSARD. I will not discuss that.

Mr. HARDWICK. That is right. I just wanted to state the facts.

Mr. BROUSSARD. But, as a matter of fact, when I use the words "Sugar Trust" I refer to all seaboard refineries. They are all in accord on the policy of free sugar, and Lowry is the spokesman for the free-sugar propagandists.

Mr. SMOOT. Mr. President——

Mr. BROUSSARD. I yield to the Senator from Utah.

Mr. SMOOT. I think what the Senator from Georgia [Mr. HARDWICK] has stated is true as to the former president of the American Sugar Refining Co.

Mr. HARDWICK. Atkinson?

Mr. SMOOT. Edward T. Atkinson. I do not think that the American Sugar Refining Co. is in favor of a duty upon sugar at present.

Mr. BROUSSARD. They are not.

Mr. SMOOT. But I do know that Mr. Frank Lowry, representing Mr. Spreckels, of the Federal Sugar Refining Co., in his testimony stated he wanted a duty of 50 cents per hundred, and if that rate of duty was in force, with the 20 per cent reduction for Cuban sugar imported, it would virtually destroy the sugar production in America and prevent any other sugar coming from any other part of the world except from Cuba, and it would have placed the refining and the selling and the disposition of all the sugar in the United States in the hands of the few sugar-refining companies.

Mr. BROUSSARD. I will state to the Senator that the former president of the American Sugar Refining Co., Mr. Atkinson, was largely interested in sugar estates in Cuba.

Mr. SMOOT. Yes.

Mr. BROUSSARD. And as such he wanted the duty on sugar, so that he might get the preferential 20 per cent provided by the treaty. He so testified on the occasion to which the Senator referred.

Mr. HARDWICK. If the Senator will pardon me, within 24 hours I have read his testimony, and he said he was for the duty on sugar because of the large interest that his American Sugar Refining Co. owned in the beet-sugar companies.

Mr. BROUSSARD. Of course; and the large planting interest in which he was himself interested.

Mr. HARDWICK. No; that he disposed of.

Mr. BROUSSARD. I understand.

Mr. HARDWICK. He used to have them, but he had disposed of them.

Mr. BROUSSARD. But the attitude of the American Sugar Refining Co. to-day, as represented, is for free sugar.

Mr. HARDWICK. No; the Senator is mistaken. I challenge that statement. The trust has always opposed free sugar.

Mr. BROUSSARD. I am sure I am correct.

To the constant reader of the Daily States these indictments of the Louisiana sugar industry, quoted from the Democratic textbook, have a familiar ring. What "a debt of eternal gratitude," indeed, these sugar planters owe Robert Ewing, my distinguished colleague. For fear that the statement which I have made, to the effect that F. C. Lowry, Sugar Trust agent, was permitted to insert in the Democratic Textbook of 1912 the matter which I have indicated, and to the end that there may be no misunderstanding as to the exact meaning of the thought which I have in mind, perhaps I had better insert here testimony adduced before the Senate Lobby Investigating Committee, the questions of Senator CUMMINS, of Iowa, and the replies of Lowry. This testimony will be found on page 1577 et seq. of the testimony adduced before the committee. It is as follows:

"Senator CUMMINS. I now show you a pamphlet which has no identification upon it, either in name or date. It is printed in green. I hand it to you and ask whether you did issue that document or whether you are responsible for it or whether you know anything about it.

Mr. LOWRY. The document that you hand me I am responsible for. That is a reprint of this small document which I have just taken from my pocket. That was distributed by the Democratic national campaign committee. I had it printed in a little larger type so as to be easier to read.

Senator CUMMINS. Now, I will take them both. I will have the smaller one marked "Exhibit Lowry No. 35." Referring to this smaller one, Exhibit No. 35, you say that it was circulated by the Democratic campaign committee?

Mr. LOWRY. Yes, sir; that is one of the original ones.

Senator CUMMINS. Who prepared it?

Mr. LOWRY. I prepared a good deal of the matter in it. I practically prepared it all.

Senator CUMMINS. To whom did you send the copy?

Mr. LOWRY. I was asked to go up to the Democratic headquarters in New York, and I had a talk with the gentleman who is now Secretary of the Navy, Secretary Daniels, and he suggested that I prepare for them something of that kind. I did so and sent the material up there and they went ahead and printed them and sent them out.

Senator CUMMINS. Who asked you to go there?

Mr. LOWRY. Mr. Marsh, who was associated with them at that time.

Senator CUMMINS. Did you or the Federal Sugar Refining Co. pay for the circulation of the pamphlet, Exhibit Lowry No. 35?

Mr. LOWRY. We did not.

Senator CUMMINS. You do not know to what extent it was circulated?

Mr. LOWRY. I know that Secretary Daniels told me he thought he would get out about a million copies.

Senator CUMMINS. Look over it and find out what part of it, if any, you did not prepare.

Mr. LOWRY. This is practically all of my material. They changed it a little bit.

Senator CUMMINS. In what respect did they change it? I want to know just what you are responsible for.

Mr. LOWRY. I do not remember what changes they made. It was just a word here and there that did not suit them, and they changed it.

Senator CUMMINS. You do not know that they made any changes, do you?

Mr. LOWRY. Yes; I know they made some.

Senator CUMMINS. But you can not point them out?

Mr. LOWRY. No, sir; no material changes."

(Page 1583.)

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"Senator CUMMINS. I learned for the first time a few moments ago that you prepared the Democratic campaign circular that has already been introduced in evidence. That leads me to ask what you had to do, if anything, with preparing that part of the Democratic textbook of 1912 that relates to sugar?

Mr. LOWRY. This man Marsh, who was connected with the committee, came to me one afternoon and said that he had been commissioned to write up certain parts of the textbook. That was the first time that I had ever heard of a textbook. I did not even know they had one. Sugar was one of those parts, I said, that I had plenty of material, and I gave it to him, and he took it away; and then he came back, I think, the next day and said, "Here is what I have prepared." Some of the things he did not have quite clear, and I revised them, and he took them off, and that was the last I heard of it until it came out in the textbook. It was afterwards that he suggested that I go up and meet Mr. Daniels.

* * * * * * *

Senator CUMMINS. I call your attention to a pamphlet which is headed "Democratic Textbook of 1912," to page 149, and wish you would tell the committee what part of that you prepared and what part you did not.

Mr. LOWRY. I could not tell that. I think a good deal of it was taken directly from those pamphlets. There are a good many mistakes in it, I know that. The printer made a bad job of it.

Senator CUMMINS. What impressed me was a striking similarity between that and some of your literature."

These attacks upon the domestic sugar industry, cunningly inserted at the instigation of F. C. Lowry, the hired agent of the Sugar Trust, quite naturally had the effect of misleading those intrusted with public speaking in behalf of Wilson's campaign for President. The textbook of a party is the ex cathedra declaration of those in full charge of the campaign, and if the speakers were misled by the insertion it is not to be wondered that so much misinformation exists throughout the country regarding the attitude of the Democratic Party on the subject. The textbook of the Democratic Party—indeed, of all parties, for that matter—is intended to be an elaboration of the party platform. So that we find that through the indifference to or forgetfulness of Louisiana by Robert Ewing, as member of the Wilson campaign committee, this man Lowry became the sole interpreter of a plank of the Democratic Party enunciated at Baltimore. I desire to turn from the opinion of Lowry to the action of distinguished Democrats in this Senate in the construction of that paragraph of the Democratic platform. It will be remembered that the first Underwood free sugar bill had passed the House just prior to the convening of the Baltimore convention. About the time of the convention hearings were being held before the Finance Committee of the Senate upon that bill. Before the committee came to a conclusion in its consideration of the bill the Democratic platform was adopted, promulgated, and was well understood throughout the country. Of course its meaning was clear to the Democratic members of the Finance Committee of the Senate.

The report of that committee, consisting of men of distinguished ability, such as Bailey, of Texas; SIMMONS, of North Carolina; STONE, of Missouri; JOHN SHARP WILLIAMS, of Mississippi; JOHN W. KERN, of Indiana; and CHARLES F. JOHNSON, of Maine, was signed by all of these distinguished Democrats. Free sugar was repudiated by them, and as a substitute a duty was recommended equivalent practically to the existing sugar duty.

In connection with this report it is but proper that I should quote a paragraph from the distinguished Senator from Mississippi [Mr. WILLIAMS], who as the spokesman of the committee upon this report, in addressing the Senate on July 27, 1912, only a few days after the adjournment of the Baltimore convention, used the following language:

The Senator from Massachusetts says that if sugar were placed upon the free list—and by the way there is not the slightest anticipation in the mind of any intelligent man that it will be placed upon the free list, not even if a Democratic Senate and a Democratic House and a Democratic President comes into power—but he says that if sugar is placed upon the free list certain dire results would follow.

* * * * * * *

Mr. President, we are not attempting to put sugar upon the free list at this time. I myself agree that it ought not to be placed there. I agree with the Senator from Massachusetts when he says that sugar is one of the best subjects upon which to raise revenue. It has been found so not only in this country but in all other countries, and as a tariff-for-revenue Democrat I would not be willing to surrender it as a subject for raising revenue for the Government. I think a mistake was made when the House proposed to surrender totally the fifty millions now raised in that way.

To this Lowry construction of the Democratic tariff plank in the Baltimore platform by his insertions in the Democratic textbook of 1912 is due all the trouble that subsequently befell the Louisiana sugar men. The Sugar Trust had failed in an open fight to place sugar on the free list, it was now accomplishing its purpose by stealth.

If Robert Ewing, the member of the Wilson campaign committee had been alive to the interests of his adopted State, with the knowledge which he possessed, both of the Baltimore declaration and the attitude of Democratic Senators in their interpretation of that declaration, he could easily have prevented the infliction upon that industry of all the calamity which later overtook it. He, indeed, then would have been entitled to the "eternal gratitude," to use the Senator's words, of the people of the third district. His remissness, his neglect, not to use a harsher word, were directly responsible for his later activities, so touchingly described by the Senator. Ordinary exercise of caution in the confidential position which he held as member of the Wilson campaign committee would have spared many a heartache to the very people whom the Senator was addressing; would have preserved many properties, large and small, that have traveled the course of the bankruptcy courts; would have saved the lives of important citizens in Louisiana, who in despair were driven to seek a suicide's grave.

The Senator said at La Fayette, continuing the same sentence from which I have heretofore quoted, intending to emphasize the great influence of this man:

"Robert Ewing, the personal friend of Postmaster General Burleson, who was one of President Wilson's chief political advisers"—

And so forth.

As in many of the expressions used by the Senator one is led to infer what thought he intends to convey. The inference in this case is palpable, and it is to the effect that Robert Ewing's influence, because he was a personal friend of Postmaster General Burleson, was exerted toward preventing the placing of sugar on the free list. I am perhaps the last man on the floor of this Senate who will say aught against the Postmaster General. I have served long with him in the House and I hold him in the highest esteem. I followed this free sugar contest, as every man knows who is acquainted with the contest, to stave off the disaster which free sugar meant to my State. If Postmaster General Burleson did anything to help in this fight, I am ignorant of it. I will not say that he did not; nay, I will go further, I will say that he did if my distinguished colleague asserts it. Without wishing to bring on a discussion of the Postmaster General, and simply because his name has been invoked by the Senator in his efforts to elevate Robert Ewing in the esteem of Louisiana, let me suggest to the Senator that I have heard it rumored that the effort in the House to put a production or consumption tax on sugar, which received seven votes in that body, met with the approval of the Postmaster General.

But there is pending in this Senate an amendment offered by the Senator from Georgia [Mr. HARDWICK] to put a production or consumption tax on sugar equivalent to the rate of duty fixed in the Kitchin bill. This, of course, if successful, would at once stop every sugar factory, not only in Louisiana but in the beet section of the United States, as well as in our island possessions. If there was a thought in the country that Congress would sanction the Hardwick amendment, there is not a man engaged in the cultivation of sugar cane or sugar beets who would not be compelled to cease instantly, in my judgment, in his efforts to produce a crop this year.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. BROUSSARD. I do.

Mr. HARDWICK. I do not want to inject myself very much in the Senator's speech. The Senator knows very well, if he knows anything about it, that it was the European war, and that in Louisiana and in the western beet fields and beet-sugar factories and in our island possessions they have made untold profits since the war began.

Mr. BROUSSARD. The trouble, Mr. President, with the Senator from Georgia is that he wants this industry to thrive over the bloody acts being committed in Europe. I do not want to see the war continue.

In what the Senator says he is not exactly correct. If the Senator knew as much as I do about the Louisiana sugar industry, he would know that if he had the best plantation in that State he could not get an advance of a solitary dollar upon his present growing crop in Louisiana if it depended upon the war continuing in Europe to permit the reimbursement of the loan.

Mr. HARDWICK. Mr. President, just one question.

Mr. BROUSSARD. Let me finish this. I tell the Senator, if I have related the circumstances correctly, and I know I have, that credit will be cut off the moment his amendment becomes a law or there is knowledge of even the possibility of his proposed amendment becoming a law. How much of a crop will be made next year, even though the war in Europe may continue indefinitely, if the owners of the plantations are without the means of making a crop and advances are declined by the banks, as has been the case since the beginning of the war, up to the time of assurances that free sugar would be repealed——

Mr. HARDWICK. If the Senator will permit me, I will answer that in my judgment a man in Louisiana is doomed and ought to be doomed if the industry can only survive as long as the abnormal condition like the war makes it profitable.

Mr. BROUSSARD. The Senator agrees with me, then?

Mr. HARDWICK. No; I do not.

Mr. BROUSSARD. He thinks we ought to make sugar as long as there is war.

Mr. HARDWICK. If you can not make any profit in Louisiana with 2 cents, a protection resulting from the war. You have a protective wall resulting from the war and have not made any profits before the tariff was reduced, and the elimination of 3,000,000 tons of beet sugar from continental Europe is greater than 10 cents duty would be. There is no trouble about that. You have practically no competition from Europe. So if we adopted a consumption tax at once it would not hurt you one penny until normal conditions were restored after the European war.

Mr. BROUSSARD. Mr. President, I shall not pursue that. We shall have ample opportunity to discuss these matters when the bill comes up. I do not agree with my friend from Georgia, however, nor do I believe if he owned the best plantation in the State he could get credit from any bank in this country in the event his amendment were adopted.

Mr. President, since the passage of the Underwood tariff bill, I have kept the fires burning on every hill here in the Capitol, trying to point out to my Democratic colleagues the necessity of abstention from the punishment which that bill would impose upon the people of Louisiana. During all of that time I have had a resolution pending to avert this calamity, first before the House as a Member thereof and now before the Senate as a Member of this body. Time and time again the national committeeman to whom the sugar people of Louisiana, the Senator says, are under "a debt of eternal gratitude," has chided me for this through his newspapers; has called for a stop upon my proceedings, alleging that such a course on my part was intended to embarrass the administration. And yet, Mr. President, I have lived to see the honor conferred upon me by the Democratic leader of the House of Representatives, Mr. KITCHIN, of North Carolina, of adopting with the change of a single word every word of the resolution which the national committeeman, friend of the Louisiana sugar planters, according to the Senator, has been deploring and denouncing. The change of that word did not detract from the resolution which I have pending in this Senate, and which had been pending in the House, but to the contrary strengthens it and closes the argument so far as this question is concerned.

Looking at these things which I have jotted down as they have occurred to me, it strikes me that if the Louisiana sugar industry has had one persistent and consistent enemy within its own midst, who by acts of commission and omission, has brought more trouble and disaster upon it than any other, it is Robert Ewing.

And now I come to the final statement of the Senator to which I take exception. It is this:

"When I saw that we faced defeat," said the Senator, "in that fight, I suggested to the other opponents of free sugar that we should bring to Washington one man who could do more for the sugar industry than all of the Louisiana delegation combined—that man was Robert Ewing."

Mr. President, I resent that statement. I resent it personally, and I resent it on the part of those of my colleagues in the House who to my knowledge worked so sincerely and faithfully to try and preserve this industry from disaster and ruin. I have no objection to the assumption of that position by the Senator so far as he is himself concerned. I shall not quarrel with the Senator when, in the meekness of his spirit, he forgives or forgets that in derision and contempt Robert Ewing in the Daily States for many years dubbed him "Lumber Joe," because of the Senator's vote for a duty on lumber. That is strictly his personal business. I have this to say, however, if that be the Senator's conviction, it is a matter of wonderment to me that the Senator should continue to hold his seat in this body. With all the influence which this sentence conveys, why does he permit this man of such wonderful influence to remain in Louisiana occupied in the venal pastime of limiting the exercise of his great abilities toward securing political jobs for his henchmen? And right here is where the entire trouble starts. I have stated that the national committeeman was better known in Louisiana as the boss of the tenth ward than by any other appellation. He is the roughest enemy to those who will not do his bidding. Hence his antagonism to me. He is an unusually flattering individual to those who respond to his orders. Nothing is too good to say of those who recognize his claim to the position to which he aspires, that of being the boss of the State, instead of boss of the tenth ward; and nothing is too small for him to say of those who refuse to recognize any boss for the Democratic Party in the State.

In keeping with this policy Robert Ewing has persistently antagonized the Democratic administration of Gov. Hall, in Louisiana, and he has perpetually posed, as the Senator has described him, as the most influential man with the Democratic administration here in Washington. He has claimed the credit for every Federal appointment made in that State. And what sort of appointments have been made there? With few exceptions, those who have been appointed to Federal office had scarcely, when appointed, recovered from the political defeats with which they had met at the hands of the white people of the State. With scarcely an exception, all of them had gone down in overwhelming defeat, and had to be picked up from their place of retirement to take charge of Federal affairs in the State of Louisiana. This has been done over the protest of the right-thinking, independent Democracy of that State. With scarcely an exception, no one else was given recognition. Thus, the policy pursued by Robert Ewing, in attempting to domineer over the destinies of the State Democracy, and to cringe to the national Democracy that jobs might follow fawning, is alike distasteful to the self-respecting element of the Democrats of Louisiana.

Robert Ewing and his kind are but hangnails on the hands of the Louisiana Democracy. Until amputated they will continue to irritate and prevent the performance of those functions of government which will advance the State, for they are blind to this advancement, having an eye solely to the exploitation of public jobs.

If the Senator proposes to align himself with these, it is his business, and I shall offer no criticism of him for such conduct. But I warn him when inspired to praise the grandeur of Robert Ewing my name must be let alone. I have no ambition for comparisons with Robert Ewing, nor do I follow the banner of him or his class. And it might as well be understood now that I shall tolerate no such criticisms as those evidently intended by the remarks of the Senator as reported in the paper of Robert Ewing, the national committeeman from Louisiana.

I can not conclude this explanation, Mr. President, without notice of the fact that former Senator Foster, of Louisiana, is reported in the account of the Franklin meeting to have concurred in the statement made at that place by my colleague.

The former Senator was the chosen leader in the antilottery campaign. In fact, one can not think of the antilottery campaign without at the same time thinking of Senator Foster, Chief Justice White, and Gov. Nichols, the leaders in that fight against a vicious system, as they personified the issue. It was the first political campaign in which I engaged. Our main objective was the dominant necessity of destroying the lottery and the power of its allied bosses rather than the minor necessity of maintaining party regularity. In fact, the lottery company and its allied bosses had secured control of the party organization, and our efforts to destroy the baneful influences of both were directed of necessity without regard to party regularity. For a quarter of a century from that day to this, the former Senator enjoyed my political and personal confidence uninterrupted. If he at any time had any political aspiration to the accomplishment of which I did not lend my efforts, it escapes my mind at this moment. If at any time during that period there has been anything of a political nature that I did not confide to him and gave to, and I imagine received from, him the fullest confidence, the knowledge of it does not rest with me. I will not believe; I can not believe, upon the mere statement of a publication of the character of the "Daily States," under the controlling management of Robert Ewing, that former Senator Foster concurred in what my colleague stated, and which I have here refuted. Nay, Mr. President, I would not believe it on the statement of any man short of the former Senator himself.

In the many talks which I had with the former Senator regarding the details of these matters, I am quite clear in the statement that the facts which I recited to him are at utter

variance with the statement of my colleague, in which the former Senator is reported to have concurred.

Mr. RANSDELL. Mr. President, I very much regret that the speech, or rather the several speeches delivered by me in the political campaign in the State of Louisiana the week before last, should have been made the subject of a heated controversial address on the floor of the Senate by my colleague [Senator BROUSSARD]. I do not think the forum of this great legislative body is the proper place in which to wash soiled political linen, and I do not intend to engage in any controversy in regard to this matter. Matters of this kind should be settled in my own State.

In order, however, that the Senate may see exactly what I did say in my speeches in Louisiana, I wish to ask for publication in the RECORD of a stenographic report of my speech delivered at the city of Thibodaux, La., on the 16th of this month, in behalf of the Democratic candidate for governor of Louisiana and his associates on the Democratic ticket. It was the only speech of eight that I delivered that was taken down by a stenographer as the words fell from my lips, and so far as I have been able to go over it as it appears in the New Orleans Daily States of the 21st instant, it seems to have been correctly reported. I ask that it may be published in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

The speech referred to is as follows:

"DEMOCRATIC PARTY IS ONLY REAL FRIEND OF THE SUGAR INDUSTRY, SAYS STATE'S SENIOR SENATOR—DEFENDS NATIONAL COMMITTEEMAN FROM UNJUST ATTACKS; SAYS HE SAVED PLANTERS THREE YEARS' GRACE; SCORES PROGRESSIVE PARTY; WHY DEMOCRATS SHOULD SUPPORT DEMOCRATIC NOMINEES; PAYS TRIBUTE TO THE NATIONAL ADMINISTRATION.

"The tour of Senator JOSEPH E. RANSDELL through the third district did much to stir the fighting spirit of the gallant Democrats who are fighting against great odds to redeem it to the Democratic Party. Large and enthusiastic meetings greeted him in nearly every parish in which he spoke.

"Below is given a stenographic report of the speech delivered by Mr. RANSDELL on March 16 at Thibodaux. He spoke with like vigor throughout the district. It is timely for the people of Louisiana to read the sparks which he flashed from the Democratic anvil:

"Mr. Chairman, ladies, and gentlemen, I am delighted to be here this evening. I have met so many good friends and have had so many warm handshakes since I reached your little city this evening that I am feeling just now much like a certain young man did once, who for several years had been trying to pop the question. He was a timid young fellow, a farmer, very much in love with Mary, but he could not screw up his courage to the asking point, but finally one evening he got the fateful words out, and Mary promised to marry him. She had been ready to say 'yes' for several years. John was supremely happy when he left her that evening, and, in walking through the fields from Mary's house to his own, looked up into the bright blue sky, where the stars were shining beautifully, and, raising his hands, he said: 'Oh Lord God, I ain't got nothing against nobody.' And I am feeling very much that way this evening, myself. [Laughter and applause.] I have been through this district, where I heard there was some Progressive strength, for the last four days, and I am so thoroughly convinced that the Democrats are going to sweep it on the 18th of next April that 'I ain't got nothing against nobody' this evening. [Applause.]

"I came a long way to be with you; all the way from the city of Washington. Some of the opposition in Louisiana are pretending to wonder how I could leave Washington at this busy time. I will tell you why I left. Because the Democrats of this State called me, and I have never failed when Democracy calls. If I ever do fail I sincerely hope my right hand will wither and my tongue become palsied. However, in coming I knew there was nothing that really demanded my presence in Washington, for Thursday of last week the Senate began the consideration of the Tillman armor-plate bill, with a distinct agreement to vote on that measure on the 22d day of this month, to wit, on Wednesday of next week. That is the measure now being considered in the United States Senate. It is the unfinished business and will be considered until next Wednesday, when it will be voted upon, and before that I will be back there ready to vote.

"NO MEASURES UP IN SENATE DURING ABSENCE.

"While there are no measures coming up in the Senate during my absence that are of any special concern in Louisiana, there is a measure in the House of the greatest interest, and I have a message to give you about it which I received one hour ago. It reads:

"WASHINGTON, D. C., *March 16, 1916—5.10 p. m.*

"Hon. JOS. E. RANSDELL, *Thibodaux, La.:*

"Vote on free sugar repeal: Affirmative, 346; negative, 14."

"[Great applause.]

"Now, that is a message I know you will be glad to receive, and it tells of a vote by a Democratic Congress [applause], showing that a Democratic House of Representatives, controlled absolutely by a Democratic Speaker and Democratic Members, has repealed the free-sugar clause of the tariff act which is so harmful to the people of this district. [Applause.] They repealed it, my friends, because they knew that the party had made a mistake originally, and the President of this Republic, Woodrow Wilson, was big enough, wise enough, and broad-minded enough to acknowledge his mistake and ask them to repeal it. [Great applause.]

"The measure passed the House to-day and will be sent to the Finance Committee of the Senate, which will consider it for a week or 10 days, and probably by the 25th or 27th of this month it will be reported to the full Senate, and may be voted upon in that body about the 1st of next month. I sincerely hope it will, and long before it is ready to be voted on I shall be back to lend any assistance I can, if my assistance is needed. But it will not be needed, because we all know that it is going to pass, for there is no practical objection to it. [Applause.]

"WILL BE ON HAND TO URGE UNITED STATES FLOOD CONTROL.

"There is one other matter which, it is said, I ought to be in the Senate to look after, namely, flood control. I am going to tell you something about it. There is now before the House a bill referring to flood control. I am not a Member of the House, but was for many years, and am deeply interested in that subject, just as you are. On Friday last I went before the committee having this measure in charge, of which your distinguished Representative [Mr. MARTIN] is an active member, and made an argument giving the committee the benefit of such experience as I have had, and asking them as to how the measure should be constructed. They are working upon it now, and before very long will report their findings to the House of Representatives. In two or three weeks or longer that measure will be returned to the Senate, and I will be there to look after the interest of this district and State in that important particular. So, as I have said, there is nothing now to have held me in Washington, and none but matters of the greatest moment, requiring my constant attention in Washington, could have made me feel it other than my plain duty to respond to the call of Democracy. [Applause.]

"Prior to discussing several national issues which I wish to bring before you, I desire to say a few words about the State issues in this campaign and about the candidates.

"I have known Mr. Parker for many years. I esteem him as one of my friends. I have visited in his home and he has visited in mine. He owns a large plantation in East Carroll, where I live, and for many years I shipped cotton to him, because that is my business—a cotton planter in East Carroll. I have none but the very kindliest feelings for Mr. Parker, but I can not agree with his political principles, and anything that I say this evening about him must be understood with the explanation that personally I regard him most highly.

"TELLS WHY PARKER SHOULDN'T BE GOVERNOR.

"I think, however, it would be an extreme misfortune for Mr. Parker to be elected governor of Louisiana, and for several reasons. Democracy's candidate, Mr. Pleasant, has just brought out several points, and without desiring to repeat in detail what he has said, there are three things I wish to emphasize that Mr. Parker advocates which I can not agree to follow: First, he is opposed to primary elections; second, he favors the short ballot; and, third, he wishes a constitutional convention of 25 members.

"Now, do you think we should discard the primary and return to the old convention system? Mr. Parker has had a great deal to say about bosses and ring rule. I wish to ask the gentlemen in this audience who are past 40 years of age, especially those past 50, where the bosses and the rings get in their best work? Is it in the convention or in the primary? In the old convention days a few delegates would assemble in the courthouse here in Thibodaux, and would be ruled, absolutely, by four or five men, and when I say Thibodaux I use it as an illustration for each parish in the State. All the parish conventions which met throughout the State that I ever knew anything about were practically monopolized by four or five men. And the same was true of your congressional and State conventions. The boss can get in his work in a convention far better than he can be-

fore the people, and I think Mr. Parker, and everyone else who advocates a return to the old convention system, is making a grave mistake. I, for one, have far more confidence in the wisdom of a united Democracy and a united people of the State than I have in a little band assembled in convention. [Applause.]

"PARISHES WOULD NOT HAVE REPRESENTATION.

"In regard to this constitutional convention of 25, do you not think, my friends, if we have a convention which is to frame our organic law, the parish of Lafourche should be represented? Do you not recollect that great event in the history of this Nation, where our forefathers rebelled against the power of Great Britain, because they were taxed without representation? The imposition of that tax was the principal cause of the Revolutionary War. Yet Mr. Parker proposes a constitutional convention in this State, which is far more important than ordinary taxation, in which more than half of the parishes of the State would be without representation. He thinks there should be 25 members of that convention. There are 64 parishes in the State. He says there ought to be but two from each congressional district. Possibly Lafourche might win one, but if she should, several other parishes would be without any. His plan gives two from each congressional district, and nine to be selected in some other way. He does not tell you how. The supposition is that they might be named by the governor or the State central committee.

"Does that look as if he was opposed to bossism, when he advocates a convention, limiting its membership to 25, well knowing if he had the power of appointing 9 of those men or his intimate friends and political associates on his executive committee had that power they would have to secure control of only 4 others in order to absolutely dominate the convention and thus frame the organic law under which our people would live for perhaps a quarter or a half century?

"DISSECTS PARKER'S SHORT-BALLOT IDEA.

"Then take this short ballot Mr. Parker is advocating. He thinks we should elect a governor and a lieutenant governor, and let the governor name the men to fill the other important offices. You have just listened to an address by the gentleman who is the candidate for attorney general. Don't you like to have candidates for big offices come before you? 'In unity of counsel there is much wisdom,' says the Scriptures; and don't you think the united wisdom of the people themselves is just as great in the selection of an attorney general, a secretary of state, an auditor, a superintendent of education, register of the State land office, treasurer, commissioner of agriculture, etc., as would be that of one man?

"Do you wish to see inaugurated the centralized system of government which was advocated by that great Federalist, Alexander Hamilton, in the early days of this Republic? Do you wish to have a government by a few men or one 'of the people, by the people, and for the people,' as advocated by the father of Democracy, Thomas Jefferson? [Applause.]

"Mr. Parker, both by his speeches and the methods he advocates, indicates he is a believer in the doctrines of Hamilton rather than those of Jefferson, and that he has no confidence in the people.

"Let me cite one instance how his plan might work. Take the office of superintendent of public education. You have now a splendid man in that position who has filled it so ably and done so much for the cause of education that the people did not care to put up anyone against him, and he is therefore standing for reelection without opposition. Would you like to confer upon any governor the power, perhaps through personal pique or some political purpose, to set aside a man like Tom Harris?

"PARKER NOT IN ACCORD WITH COMMON PEOPLE.

"So on these three points Mr. Parker is not in accord with the common people; that he is really in harmony with the boss system; that he is in touch with the idea of control by a very few men. And you all know that when a few men get in power that the big interests usually can control them and that a few men control them very often to the detriment of the plain people. [Applause.]

"There has been a great deal said about bossism and ring rule and a bitter denunciation of Col. Robert Ewing. If you read certain newspapers and listen to many of Mr. Parker's speeches, you would think the issue in this campaign is Ewing—not Progressivism against Democracy, but against Ewing. My friends, suppose Col. Ewing should unfortunately die to-morrow, do you think Mr. Parker would quit the campaign? Oh, no; he would go on, and yet he is trying to make it appear that Ewing is the real issue.

"I wish to tell this audience in this great sugar parish a little piece of history in regard to Robert Ewing, and I preface my remarks by saying I am no apologist for Col. Ewing, for he is well able to take care of himself [applause], and I do this merely as an act of justice.

"When the great fight came on three years ago for the repeal of the duty on sugar and the passage of a general tariff act in Washington, you sent several representatives to confer and advise with the Congressmen from the sugar district and the Senators. I was in the thick of the fight, and, although I came from a cotton section of Louisiana, hundreds of miles away from the sugar section, no man worked harder for sugar than I. You recall that I spoke several times on the subject in the Senate. You recall, on account of sugar being placed on the free list, I voted against the entire tariff bill, although I approved of 99 per cent of it. [Applause.] I thought this one piece of injustice to my State was so great that I should vote against the measure as a whole, which I did, thereby risking my political fortunes; for, my friends, let me tell you there are a great many interests in Louisiana besides sugar [applause], and many people who do not care much about sugar [applause], and many of them became angry with me. I believe they have gotten over it. I hope they have, at any rate.

"PAYS HIGH COMPLIMENT TO ROBERT EWING.

"When the fight was going on we found that sugar was practically certain to go on the free list. Your representatives and myself conferred, and I suggested there was one man in Louisiana who could get closer to President Wilson than anybody else; who could secure constant interviews with him; who could appeal to him in a personal way, and on the ground of gratitude ask favors which no other could ask, and that man was Robert Ewing. [Applause.]

"Col. Ewing had been a leader of the Wilson forces prior to the Baltimore convention. After the convention nominated Mr. Wilson, Ewing was a member of the committee of fifteen that had charge of Mr. Wilson's campaign. He went to the city of Chicago and spent several months there, neglecting his own business and doing everything possible to elect Mr. Wilson. He became very close in a personal way with the Hon. Albert Burleson, afterwards made Postmaster General.

"I knew all of those things, and I knew from what I had heard Mr. Ewing say that he was a real and true friend of sugar, and so I suggested that he be sent for to help us in the fight. He came, armed with a resolution of the sugar people asking him to do what he could, and remained in Washington for several weeks, making a determined and vigorous fight. It seemed impossible to do anything.

"When Col. Ewing saw that he went to the President and appealed to him, saying: 'Mr. President, if sugar is to be put on the free list, give a few years of grace to those people. Give them a chance to get ready, an opportunity to go into some other kind of agricultural pursuit. The sugar business is the only one they know, and they could not change to any other immediately.' He urged upon the President the sugar people be given at least seven years.

"EWING GAINED GRACE FOR SUGAR PEOPLE.

"This was the situation until the President summoned to a final conference with him Col. Ewing, Senator-elect BROUSSARD, and myself. We went to the White House and had a heart-to-heart talk with the President. I never argued in my life, ladies and gentlemen, or fought as hard as I did that night with President Wilson for a three years' extension of the sugar duty. Mr. BROUSSARD and myself finally retired, leaving Col. Ewing with the President, and on our way from the building we saw Mr. UNDERWOOD, then chairman of the Ways and Means Committee. He, too, had been summoned by the President, and the next day when the bill was reported to the House it carried a three years' grace for the sugar people; and I want to say to you, my friends, as solemnly as I ever said anything in my life, that to Robert Ewing a great deal more than to any other man you owe the extension of three years of the duty on sugar. [Great applause.]

"Suppose you hadn't gotten that extension? Sugar would have been on the free list two years ago. The duty would all have been taken off, and instead of having that duty extended, as it's going to be, and for an indefinite period—and right here I want to say I don't believe it will ever be taken off again—it would have been on the free list, and then it couldn't have been put back except as a part of a tariff bill. You see, when Congress is merely extending a duty that already exists—merely carrying for a longer period a tax that the people are now bearing—it's rather an easy thing to do; but if Congress attempted to impose a burden of 1 cent a pound on sugar when it had been free for several years it would be difficult to put through a measure of that sort. It couldn't be done.

"So to Robert Ewing more largely than to any other you owe the extension of the duty; and I want you sugar people to think about that when he is so bitterly assailed, and I want you to remember the part I took. I was there, fighting just as hard as I could, and I would do the same thing again if it became necessary. I believe, with many others, that my party made a mistake, but I also know that it is big enough and has courage enough to correct its mistake, which it is doing now. [Great applause.]

"Should I leave my party and join the Progressives because of one mistake? Should I give up my principles because my party made a mistake on one or two things, or should I stand by it and try to correct the errors in its ranks? We should all stay in the ranks, and especially so when we belong to a party which, although it may make some mistakes, yet in the vast majority of cases has proved far more beneficial to the plain people of the country than the Republicans. [Great applause.]

"I stayed, and I was glad to stay, and I want to tell you of some splended things this party has done for the Nation. Before doing it, however, before I get away from this talk about bosses, bossism, and ring rule, I am tempted to tell you another story. On a certain occasion there was a big religious gathering up in the mountains of Tennessee, and when the excitement grew rather intense one of the lay brothers, who stood about six feet two in his stocking feet and had a tremendously loud voice, raised that great voice of his and shouted so loud that one could hear him for nearly a mile, 'Tally ho, hell and damnation.' Then he walked over to another part of the building and again raising his voice, shouted out, 'Tally ho, hell and damnation.' He repeated that several times, and finally the minister in charge of the meeting went to him and said, 'Brother Smith, what do you mean by saying "Tally ho, hell and damnation"? I am familiar with the Scriptures from Genesis to Revelations, and never have I read anything that sounds at all like "Tally ho, hell and damnation." Now, what does it mean?' 'Oh,' said he, 'Brother Brown, it don't mean anything, but it's a powerful thing to sound on.' [Applause.] I am sure you see the application. All this talk about ring rule and bossism does not mean anything. There will always be rings, for as soon as one faction is overthrown its successor forms its ring, and if you put down the present ring in New Orleans there would be another one formed immediately. That is one of the penalties we pay for a democratic form of government, and if one ring does not suit us we put it out at the end of four years and create another. All of this talk about rings and bosses 'don't mean anything.' But it is being used like many other things to catch votes with. In other words, 'it's a powerful thing to sound on.' [Applause.]

"THINKS T. R. IS IN REPUBLICAN PARTY.

"I promised to tell you of some of the things that the Democratic Party has done, but before coming to that I must say a few words about the Progressive Party. I do so in the kindliest spirit, for I do not like to speak other than good of the dead and dying. Who is the Progressive Party and what is it? Theodore Roosevelt has constituted for a good while the Progressive Party, but I do not believe he constitutes it now. I think he is practically in the Republican Party, but if not I am sure he will be there very soon. Are you good people in this section of Louisiana ready to go into the Republican Party or have you simply risen in protest against fancied wrongs by the Democratic Party? I think most of you have joined the Parker movement as a sort of protest against what the Democratic Party has done that you think is wrong. Suppose Mr. Parker is elected governor of Louisiana and the Progressive Party dies in June, after the meeting of the Republican convention in Chicago, then what is going to happen to Mr. Parker? Do you think he will come back to the Democratic Party? I hardly think so. He voted for Mr. Taft, the Republican candidate for the Presidency in 1908, and he voted and worked for Mr. Roosevelt, the Progressive candidate, in 1912. He has been antagonizing in every imaginable way the Democratic Party and its policies for many years, and surely he can not come back into the Democratic Party. He must logically go into the Republican Party, and if he does that are you prepared to follow?

"Why do I say the Progressive Party is going to die next June? I say it because it is practically dead now. It is now so considered in Washington, as it has only six Members in the House and one in the Senate. Two great parties are in existence to-day—Republicans on the one hand and Democrats on the other. Mr. Roosevelt received an enormous vote in 1912, but at the congressional elections in 1914 the Progressive Party practically died away. There were then very few Progresssive votes cast because they had gone back to their former allegiance—the Republican Party.

"CONVENTIONS SAME DAY, SAME CITY.

"What happened when the Progressive national committee met in Chicago some weeks ago to issue a call for a national convention? It passed a resolution providing that the Progressive national convention should be held in Chicago on the same day the Republican convention is to meet there, and it expressed the hope that the Progressives would nominate the same man as the Republicans and be governed and controlled by the same principles. Let me read to you from the call:

"We call the national convention of the Progressive Party to assemble in Chicago at the same time the national convention of the Republican Party is to assemble there. We take this action believing that the surest way to secure for our country the required leadership will be by having, if possible, both the Progressive and the Republican Party choosing the same standard bearer and the same principles.

"Does anyone want to tell me the party is not dead, when its national committee says it will meet in Chicago the same day as the Republican Party, and 'hopes it will choose the same standard bearer and adopt the same principles'? It can not be a separate and independent party when that state of facts exists; and it concludes its call by saying:

"We are confident that the rank and file of the Republican Party and the very large independent vote of this country will support such an effort.

"SERIOUS TO FOLLOW PARKER INTO REPUBLICAN PARTY.

"So, my friends, if you are consistent and vote the Progressive ticket, you will simply be voting for Mr. Parker; and if you do that to be consistent, you should follow him into the Republican Party, and that will be a serious thing to do.

"I wish to tell you another story, and it is not a humorous one this time. It is related on one occasion the Shah of Persia, in his city of Bagdad, heard a man in the streets crying in a loud voice, 'If anyone will give me $5,000, I will tell him something of great value.' The Shah had the man brought before him, who said: 'Your Majesty, never do anything without first considering well what the end will be.' The money was paid to him, and the attendants of the Shah said the story told by this man was a ridiculous one, but the Shah had respect for what the man had told him and said he was glad to pay $5,000 for such advice. And he ordered the words 'Never do anything without first considering well what the end will be' inscribed on the walls of the palace and on his gold and silver plate. Several days later the Shah was taken sick, and sent for a doctor, who, before starting to bleed the Shah, drew from his pocket a lancet, and happening to glance at the golden vessel that had been brought in to receive the blood, suddenly turned pale, put the lancet back, and drew out another and was about to proceed with his work when the Shah said in a sharp voice: 'What did you mean, sir, by changing that lancet? Why didn't you bleed me with the first lancet you took out of your pocket?' The doctor fell on his knees and confessed that he had been hired by the grand vizier to bleed the Shah with a poisoned lancet, but when he looked in the vessel and saw inscribed there these fateful words, 'Never do anything without first considering well what the end will be,' it flashed through his mind 'What will my end be if I bleed the Shah with this poisoned lancet? The grand vizier, who employed me to do this deed, will immediately have my head cut off in order that the evidence against him might be destroyed.'

"CAN NOT CONTROL DEMON ONCE TURNED LOOSE.

"My friends, apply that case here. Think long and well what the end will be before you go into the Republican Party. And what will the end be? I do not believe there is a single white Progressive in this parish or State who wishes to see the negro brought back into politics, and I know John Parker does not wish it; but, my friends, things sometimes happen entirely beyond our control. We unloose forces sometimes which we can not manage. There is not a boy of 10 in this audience who could not go out on the banks of the great Mississippi and with a sharp spade cut a ditch across the levee in one hour's time that would release the floods of that great stream and produce ruin and devastation, but what could that boy do to control those vast floods after he had turned them loose? Absolutely nothing. He can turn a demon loose, but could not control it after it was loose.

"You can create another white political party in this State, Mr. Parker, but if you do you will create a force that you can not control. The Negro is a factor in the border States, like Tennessee and Kentucky; in the Western States, like Indiana, Illinois, and Ohio; and in the Eastern seaboard States, like Maryland, Delaware, and New Jersey, he is a prominet factor. It would be impossible to keep him out of politics if we had two white parties in this State almost equally divided and each contending for the mastery. Automatically he would come back.

"I am free to say that the Progressives now in this district would oppose his coming back, but when there is put up a Republican ticket from governor to constable, and a Democratic

ticket from governor to constable throughout the State, most of the candidates would be anxious to get in and, seeking the flesh pots of Egypt, would get all the votes they could. It is not so many years since we had the Negro in politics, and so certain as you occupy your present seats in this hall, he would come back again under the conditions I have named, and it would be a source of great sorrow to Louisiana.

"WOULD SETTLE TROUBLES 'AMONG OURSELVES.'

"Do we want to bring about this condition? Oh, no; we do not. Let us settle our troubles among ourselves. Suppose the Democratic Party does things that do not suit you, have you got to bring in another party to settle your differences? Can not we get along by ourselves, and can not we in a primary election name men who should be selected for our local offices—our constables, justices of the peace, police jurors, judges, district attorneys, and so forth? Can not we nominate and select our governors and all the officers who are to manage our State affairs, and can not we, if necessary, frame a new constitution? Can not we do all of those things just as well among ourselves, fighting, if you please, in a good family row, if need be? Oh, yes. We have gotten along splendidly in the last 20 years, since we got rid of the negro constitutionally. Louisiana has grown and blossomed as the rose. She has prospered marvelously with one white political party. All the States of the South are controlled by one white political party. They do not need but one. We do not need but one. Then, in God's name, let me beg of you not to do something that is going to give us two parties, which will bring the negro back into politics and make Louisiana different from her sister States. [Applause.]

"Now, let me state a few things the Democracy has done in a national way and what she is going to do.

"TELLS OF WILSON'S ACHIEVEMENTS.

"The greatest piece of constructive legislation enacted in this country in the last 50 years is the Federal reserve act passed by the Wilson administration. When the war in Europe broke out in August, 1914, there was financial gloom and almost despair staring our people in the face. The cotton exchange in New Orleans, the cotton exchange in New York, and stock exchanges in a number of the larger cities closed. We thought we were face to face with the most terrible financial panic in the whole history of this country. People were looking aghast at each other. They knew not what to think. They had seen panics occur before under far less dangerous conditions. Then it was that William Gibbs McAdoo, Secretary of the Treasury, came to the front with the Federal reserve act and amended the Vreeland-Aldrich Act, stepped into the breach and poured into the money centers something like $386,000,000, telling the financiers they could get all the money they needed and there was no cause for alarm. He commanded the waves of unrest to be stilled, and they were stilled. Business became stable and has continued so ever since, in spite of the most terrific upheaval across the water the world has ever known. We have gone on, continuing to prosper, and during the past year the United States has enjoyed the most unrivaled prosperity in all its history, largely as the result of that splendid Democratic legislation. [Great applause.]

"The Republicans were in power, as you know, for a great many years. Why did not they enact some laws of that kind? They knew that the national-banking law was defective. They knew it had brought on a panic no longer ago than 1907, but they did not act.

"TALKS ABOUT RURAL CREDITS ACT.

"At the present moment there is pending in the Senate and in the House of Representatives, under Democratic guidance, a measure that is of special interest to the farmers throughout the Union, which is known as the 'rural credits act.' Now, where did we get the idea for this? Not from Mr. John M. Parker, who has put it in his platform, as I understand, but from the great wise people of 'La Belle France'; from the far-seeing people of Germany, of Italy, and of Austria, who many years ago adopted and put into effect a system of rural credit banks which loaned money to the farmers at rates of interest so low as to seem ridiculous to us—3½ and 4 per cent. The Democratic Party, as soon as it got into power, created a commission and sent it to Europe to study the banking and rural credit systems of those countries, which it did systematically. Finally a report was made to Congress as the result of its labors, in favor of creating 12 land banks, to be located throughout the Nation, each with a capital of $500,000, which are to be affiliated with associations of farmers.

"EXPLAINS HOW SYSTEM WORKS.

"Suppose we have one of those banks in New Orleans, and the farmers in this vicinity should wish to borrow money with which to improve their plantations, to build new houses, to buy improved machinery, or to do any of the hundreds of things to make a farm successful, you will organize a farmers' loan association, which will affiliate with this bank. And those who desire to borrow money will give a mortgage on their country real estate, and they will pay back the principal and interest at the rate of 6 to 7 per cent per annum. Money can be gotten very cheaply when it is fully secured; and this money will be secured, first, by a mortgage on the land; second, by the obligation of the loan association; and, third, by the joint and solidary obligation of all the 12 land banks for each and every loan of the whole association, which will be responsible for them. So there can be no better security. Government bonds would afford no better security. That money thus secured can be be had at not more than 4 per cent interest. It will cost about 1 per cent interest to take care of it, which makes 5.

"Now you can settle the principal, under this system, by paying 1 per cent per annum for 36 years. So you pay 5 per cent for interest and expenses and 1 per cent on the principal, or a total of 6 per cent, and the whole debt, principal and interest, is wiped out in 36 years. That is a splendid piece of legislation that the Democratic Party has been looking after in the interest of the people; not particularly interested in the rich, not working up a system that is going to make Rockefellers and Carnegies, who have each given away more than $300,000,000, and have so much money they do not know what to do with it, but the Democratic Party is trying to get a system under which the poor man can get some good out of life. That great measure will become a law within the next few months, and the farmers will get the benefit of it. [Applause.]

"FEDERAL INCOME TAX DEMOCRATIC MEASURE.

"Let me remind you of another measure that was passed, namely, the 'Federal income tax.' Not until the Democrats came into power was there any tax on incomes. There is not a poor man in this audience or anywhere in the United States who has a horse and buggy, a wagon or a pair of mules, a little house or a little farm, who has ever managed to escape the tax collector. He always finds you and makes you pay, but when it came to the enormously rich man, much of whose property was in stocks and bonds, he frequently escaped taxation thereon, but under this new law he is compelled to pay. It is a tax that does not reach the poor man, because if your income is under $3,000 a year you pay nothing. If you happen to be a bachelor or a maiden lady, or if you are married, you pay nothing on an income up to $4,000.

"There is another measure which we are about to get through, one dear to my heart and one in the interest of every person in this section of Louisiana, namely, flood-control legislation on the Mississippi River. Theodore Roosevelt, the demigod of John M. Parker and the Progressive Party, was President of the United States for seven years and was responsible for forcing through Congress some great pieces of legislation for which I give him due credit. He forced through, to a great extent, the Panama Canal legislation, under which we have constructed the mightiest piece of engineering in all time, a piece of engineering that cost about $400,000,000. Through his influence Congress passed the national reclamation act, which has for its purpose the placing of water on arid lands, and under that act the Government has spent about $100,000,000 in irrigating the arid lands of the West and converting them into productive areas.

ROOSEVELT DID NOTHING TOWARD FLOOD CONTROL.

"But how much money did Roosevelt ever persuade Congress to spend to protect Louisiana from the floods of 31 States? Did he ever have any money spent in a businesslike way to relieve us of the awful burden of these waters? Oh, no. Mr. Roosevelt could have put through that legislation, just as he did the other, if he had kept behind it with all the power of his great position. But he did not seem to care for us. He loved the people of the arid West; he constructed the mighty Panama Canal; but did nothing for the Mississippi Valley, although he secured a small annual appropriation in the rivers and harbors bill, the same as he did before he became President. When Mr. Taft was President we got a little more money, although he made no special effort to give us more.

"What is the record of the Democratic Party? When it came into power it wrote a rivers and harbors bill which carried for the Mississippi River $8,000,000, the greatest sum ever carried in a single bill. And what happened to the bill? It was filibustered against by three Republican Senators—Burton, of Ohio; GALLINGER, of New Hampshire; KENYON, of Iowa—and by long and determined filibustering, coupled with the necessity for a great variety of legislation just at the time of the outbreak of the war in Europe, they were able to delay action on this bill until the closing days of Congress, when the Democrats were

forced to accept a compromise measure of $20,000,000 as a lump-sum appropriation for all the rivers and harbors of the country, instead of $54,000,000, which the bill carried as it came from the Democratic Rivers and Harbors Committee of the House and the Democratic Senate Commerce Committee. That was in 1914. In the spring of 1915 the Democrats had another rivers and harbors bill prepared which carried $7,000,000 for the Mississippi, which also met with filibustering tactics by the same Republican Senators, and we were forced to compromise on that bill also, getting a lump sum of $30,000,000 for all waterways of the country, instead of $44,000,000, which the bill originally carried, and in that $44,000,000 was $7,000,000 for the Mississippi River. Those were two Democratic measures, both of which were killed by the Republicans.

"DEMOCRATS COME TO AID OF VALLEY.

"And then what happened? When Congress met last fall the Senators and Representatives from the valley got together and decided to put through as a part of the Democratic program a piece of legislation that would control these floods for all time. We knew the President was friendly, and when a committee in the House of Representatives was created to take it up the President named a committee of three members of his Cabinet to advise him thereon. At this moment there is being framed in the Flood Control Committee of the House of Representatives a bill which will place in the hands of the Mississippi River Commission sufficient money to build levees along this river so high and so strong that they will control any flood that can come against them, or, at least, any flood of which we have any record since the great flood of 1844, and also to do whatever else is deemed best by the commission. [Applause.]

"It was my pleasure on Friday last to appear before that committee and do all within my power to have them make the bill so broad and so comprehensive and so general that it would take care not only of the Mississippi River but also the lower ends of the great streams which empty into it, such as the Ohio, the St. Francis, the White, the Arkansas, the Yazoo, the Red, and most of all, the complete control of the Atchafalaya River down to the Gulf. [Great applause.] That bill is going through beyond question.

"In conclusion, let me remind you what Woodrow Wilson, the greatest President who has occupied the White House since the days of Abraham Lincoln, has done for this Nation. He has kept it at peace when the world is aflame. Bear in mind that there has been an awful war on our southern border for several years. Remember that the people of Europe are engaged in the greatest struggle of recorded history. Millions of men have been killed and billions of dollars of property have been destroyed during this war. Many prominent men of this country have tried to get us involved in the struggle. You have read about it from time to time. You know Theodore Roosevelt has been preaching blood and thunder and fight. You have read that Elihu Root, ex-Republican Senator from New York, made a bitter speech against President Wilson in connection with this European war. He has been assailed time and again by public men in and out of Congress and by newspapers, but with the wonderful poise of the truly great man, calm, and clear in his views, firm as the Rock of Gibraltar, he said to his traducers and to the American people, 'I will hold the helm of the ship of state steady and firm. I will preserve the peace of this Nation with honor against all the world.' If he had done nothing else but this, nothing else except to keep us at peace with all the world, it would be the greatest act that any President could do for us, and enough to earn the eternal gratitude and respect of every citizen of this Republic. [Great applause.]

"Just these final words. I am glad to have come among you, to have had the opportunity of addressing this splendid audience. I hope my feeble arguments may have some weight with you. I hope, my friends, you will consider carefully 'what the end will be' if you carry out this Progressive movement, which, if successful, you will find to be like the fabled Pandora box, which, when opened, gave forth a legion of evils which could not be controlled.

"HAS NO FEAR OF RESULT IN STATE.

"But, my friends, I have no fear the manhood of this State will ever allow this calamity to happen.

"One hundred and fourteen thousand Democrats, a great majority of the white voters, have participated in a primary election as fair and as square as any ever held in this State. They have bound themselves to support the candidate nominated. They have solemnly declared themselves to be Democrats, and have entered the councils of the party. In so doing they have incurred the plain obligation to abide by the result. True, that obligation is not one which can be enforced at law, but it is one just as binding as an obligation to pay a gambling debt or a debt barred by proscription. What think you of the man who, being able, refused to pay such a debt? Equally dishonest is the voter who violates his obligation to stand by a party into whose ranks he voluntarily enters and whose plans for facing an enemy he helps to make. So, on this account, I have confidence in the 114,000 sturdy Louisianians who took part in the election that decreed that splendid north Louisianian, Ruffin G. Pleasant, to lead the Democratic hosts of this State.

"Morally and mentally Democracy's candidate is the equal of the Progressive-Republican candidate. The policies that he advocates are as far-reaching and desirable as those of his opponent, and his ability to enact them into law is certain on account of the legislature being overwhelmingly Democratic, whereas if Mr. Parker were elected the State would be thrown into great confusion and uncertainty in all public matters, and his administration, rather than being a blessing, would make for disorder and chaos.

"So for these reasons, on the 18th of April next, go to the polls and retake your stand with the party of the white men of the South, to which you are bound by every tradition of a noble past and by every promise for the coming years—with the party of Jefferson, Jackson, and Wilson, of McEnery, Nicholls, and White. [Great applause.]"

INDIAN APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10385) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917.

The reading of the bill was resumed. The next amendment of the Committee on Indian Affairs was, under the head of "Nevada," on page 59, line 13, to change the number of the section from "12" to "13."

The amendment was agreed to.

The next amendment was, on page 59, after line 14, to strike out:

For support and education of 280 Indian pupils at the Indian school at Carson City, Nev., including pay of superintendent, $48,760; for general repairs and improvements, $8,000; for irrigating school farm, $4,000; in all, $60,760.

The amendment was agreed to.

The next amendment was, on page 59, after line 19, to insert:

For support and education of 300 Indian pupils at the Indian school at Carson City, Nev., including pay of superintendent, $52,100; for general repairs and improvements, $8,000; for irrigating school farm, $4,000; for new dormitory building, $25,000; in all, $89,100.

The amendment was agreed to.

The next amendment was, at the top of page 60, to insert:

For the purpose of procuring home and farm sites, with adequate water rights, and providing agricultural equipment and instruction and other necessary supplies for the nonreservation Indians in the State of Nevada, $15,000.

The amendment was agreed to.

The next amendment was, on page 60, line 15, after "$10,000," to insert "to be immediately available and to remain available until expended," so as to make the clause read:

For the purchase of land and water rights for the Washoe Tribe of Indians, the title to which is to be held in the United States for the benefit of said Indians, $10,000, to be immediately available and to remain available until expended; for the support and civilization of said Indians, $5,000; in all, $15,000.

The amendment was agreed to.

The next amendment was, under the head of "New Mexico," on page 60, line 20, to change the number of the section from "13" to "14," and in line 24, after the word "adjoining," to insert "or in the vicinity of," so as to make the clause read:

SEC. 14. For support and education of 450 Indian pupils at the Indian school at Albuquerque, N. Mex., and for pay of superintendent, $77,400; for general repairs and improvements, $8,000; for the purchase of additional acreage adjoining or in the vicinity of the school farm, $12,000; in all, $97,400.

The amendment was agreed to.

The next amendment was, at the top of page 61, to strike out:

For support and education of 350 Indian pupils at the Indian school at Santa Fe, N. Mex., and for pay of superintendent, $59,550; for general repairs and improvements, $6,000; for water supply, $1,600; in all, $67,150.

The amendment was agreed to.

The next amendment was, on page 61, after line 5, to insert:

For support and education of 400 Indian pupils at the Indian school at Santa Fe, N. Mex., and for pay of superintendent, $69,050; for general repairs and improvements, $8,000; for water supply, $1,600; for the construction of an assembly hall and gymnasium, $25,000; in all, $103,650.

The amendment was agreed to.

The next amendment was, on page 61, line 19, after the words "Navajo Reservation," to strike out "$15,000" and insert "$54,000"; and in line 22, after "$54,000," to strike out: "said sum to be reimbursed from any funds which are now or may hereafter be placed in the Treasury to the credit of said Indians," so as to make the clause read:

For construction work on the Indian highway extending from the Mesa Verde National Park to Gallup, N. Mex., on the Navajo Reservation, $54,000: *Provided*, That such sum shall be expended under the direction of the Secretary of the Interior in such manner and at such times and places as he may deem proper, and in the employment of Indian labor as far as possible for the construction of said highway.

The amendment was agreed to.

The next amendment was, under the head of "New York," on page 62, line 2, to change the number of the section from "14" to "15."

The amendment was agreed to.

The next amendment was, under the head of "North Carolina," on page 62, line 11, to change the number of the section from "15" to "16."

The amendment was agreed to.

The next amendment was, on page 62, after line 15, to insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to acquire a site at or near the town of Pembroke, Robeson County, N. C., and cause to be erected thereon suitable buildings for a school for the Indians of Robeson County, N. C., now living in Robeson and surrounding counties in North Carolina, and the sum of $50,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay for the site and the erection of the buildings. That after the aforesaid buildings are erected, the sum of $10,000 is hereby appropriated for the conduct and maintenance of said school for the Indians of Robeson County, N. C., under the supervision of the Secretary of the Interior, in accordance with the provisions of law for the conduct and maintenance of schools for the Indians by the United States Government.

The amendment was agreed to.

The next amendment was, under the head of "North Dakota," on page 63, line 7, to change the number of the section from "16" to "17."

The amendment was agreed to.

The next amendment was, on page 63, line 24, after "$4,000," to insert "to be immediately available," so as to make the clause read:

For support and education of 400 Indian pupils at Fort Totten Indian School, Fort Totten, N. Dak., and for pay of superintendent, $68,500; sinking wells and making improvements of the water system, $4,000, to be immediately available; for barn, $5,000; for general repairs and improvements, $5,000; in all, $82,500.

The amendment was agreed to.

The next amendment was, at the top of page 64, to strike out:

For support and education of 200 Indian pupils at the Indian school, Wahpeton, N. Dak., and pay of superintendent, $35,200; for general repairs and improvements, $5,000; in all, $40,200.

And to insert:

For support and education of 220 Indian pupils at the Indian school, Wahpeton, N. Dak., and pay of superintendent, $38,540; for general repairs and improvements, $8,000; for new school building, $20,000; in all, $66,540.

The amendment was agreed to.

The next amendment was, on page 64, after line 9, to insert:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, from time to time, in his discretion, all moneys derived from the sale and disposition of surplus lands, within the limits of the former Fort Berthold Indian Reservation, N. Dak., arising under the provisions of the act approved June 1, 1910 (36 Stat. L., p. 455), together with the accrued interest thereon, and distribute the same per capita to the Indians entitled thereto in the following manner, to wit: To competent Indians in cash share and share alike and to incompetent Indians by depositing equal shares to their individual credit in banks bonded and designated as depositories for individual Indian moneys, subject to expenditure for the benefit of the Indians entitled under such rules as he may prescribe, and hereafter annual distributions shall similarly be made of funds accruing under the provisions of the act herein referred to.

Mr. LODGE. Mr. President, while, of course, I understand what is intended, I do not think the following language in the amendment is quite clear:

Subject to expenditure for the benefit of the Indians entitled under such rules as he may prescribe.

The word "he" refers to nothing in that sentence, although I suppose it is intended to refer to the Secretary of the Interior.

Mr. ASHURST. To what line does the Senator refer?

Mr. LODGE. I refer to line 24, on page 64, which reads "under such rules as he may prescribe." Of course, the language refers to the Secretary of the Interior.

Mr. ASHURST. I think the Senator's criticism is a very proper one, and that the pronoun is too far from its antecedent. The words "the Secretary of the Interior" ought to be inserted there.

Mr. LODGE. Yes. Those words occur only in the preceding sentence. I move that amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 64, line 24, before the word "may," it is proposed to strike out "he" and to insert "the Secretary of the Interior," so as to read "under such rules as the Secretary of the Interior may prescribe," and so forth.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 65, after line 2, to insert:

To enable the Secretary of the Interior to redeem a mortgage on the allotment selection of Starr McGillis, a Turtle Mountain Chippewa Indian, described as the northwest quarter of section 34, township 164 north, range 70 west of the fifth principal meridian, North Dakota, $1,500, or so much thereof as may be necessary, the said sum to be reimbursed from the rentals of said allotment not to exceed 50 per cent of the amount of rentals received annually: *Provided*, That in the event a patent in fee shall be issued for this land before the United States shall be wholly reimbursed as herein provided the amount remaining unpaid shall become a first lien on such allotment, and the fact of such lien shall be recited on the face of the patent in fee and the amount of the lien set forth thereon, and the receipt of the Secretary of the Interior, or of the officer, agent, or employee duly authorized by him for that purpose, for the payment of the amount of the mortgage, when duly recorded by the recorder of deeds in the county wherein the land is located, shall operate as a satisfaction of such lien.

The amendment was agreed to.

The next amendment was, on page 65, after line 22, to insert:

To enable the Secretary of the Interior to reimburse Benson County, N. Dak., for moneys actually paid to the State of North Dakota for care and maintenance of insane Indians at the State insane asylum, as follows: Joseph Langer, $457.44; Mary J. Pejihutaskana, $410; Alfred Littlewind, $630; in all, $1,497.44.

The amendment was agreed to.

The next amendment was, under the head of "Oklahoma," on page 66, line 6, to change the number of the section from "17" to "18."

The amendment was agreed to.

The next amendment was, on page 67, after line 18, to insert:

To pay the Women's Board of Domestic Missions, Reformed Church in America, $10,000 to reimburse said board for buildings on the Fort Sill Military Reserve, in the State of Oklahoma, constructed by said board with the consent of the Government and utilized for the education and civilization of the Fort Sill Apache prisoners of war until the removal of said Indians from said Fort Sill Military Reserve.

Mr. GRONNA. Mr. President, I will ask the Senator from Oklahoma if he will not allow that amendment to go over?

Mr. OWEN. Let the item go over, Mr. President.

Mr. ASHURST. We may finish the bill to-day.

Mr. OWEN. Of course, if it goes over it is only temporary. If it is proposed to conclude the consideration of the bill to-day, it will have to come up before the bill is disposed of. With that understanding, I agree that the amendment may go over.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 68, after line 20, to insert:

For continuing the relief and settlement of the Apache Indians formerly confined as prisoners of war at Fort Sill Military Reservation, Okla., on lands in Oklahoma to be selected for them by the Secretary of the Interior and the Secretary of War, $40,000, to be expended under such rules and regulations as the Secretary of the Interior and the Secretary of War may prescribe, and to be immediately available and to remain available until expended.

Mr. SMOOT. Mr. President, may that amendment go over in connection with the one which the Senator from North Dakota [Mr. GRONNA] has just asked to have passed over?

Mr. OWEN. I have no objection to the amendment going over temporarily.

The VICE PRESIDENT. The amendment will be passed over temporarily.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, under the subhead "Five Civilized Tribes," on page 69, line 20, to change the number of the section from "18" to "19," and in line 22, after the word "employees," to strike out "$175,000" and insert "$185,000, of which $10,000 shall be immediately available," so as to make the clause read:

SEC. 19. For expenses of administration of the affairs of the Five Civilized Tribes, Oklahoma, and the compensation of employees, $185,000, of which $10,000 shall be immediately available.

The amendment was agreed to.

Mr. ASHURST. Mr. President, although we have passed the North Dakota items, I observe that through some typographical or other error there has been omitted one item which was approved by the committee, as Senators will remember. I will read the item, which I will ask to have inserted in the bill:

For the erection of a headstone to mark the grave of Scarlet Crow, a Sioux Indian, chief of the Wahpeton Tribe, who was buried March 13, 1867, in the Congressional Cemetery at Washington, D. C., in a grave marked "76-R A. 22," $100.

That amendment was agreed to by the committee. I ask that it be agreed to by the Senate.

The VICE PRESIDENT. Where does the Senator desire the amendment to be inserted?

Mr. ASHURST. On page 66, after line 4, at the end of the North Dakota items.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 70, line 17, after the word "act," to insert "except where contracts have been heretofore approved by the Secretary of the Interior, in accordance with existing law, which contracts the Secretary as authorized to settle and discharge"; so as to make the clause read:

Provided further, That the money paid to the enrolled members as provided herein shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this act except where contracts have been heretofore approved by the Secretary of the Interior, in accordance with existing law, which contracts the Secretary is authorized to settle and discharge.

Mr. GORE. Mr. President, I desire to move an amendment to come in at the close of the amendment just read. The amendment consists of the following words:

Provided further, That the payments made under such contracts shall not exceed $1,950.

I understand, Mr. President, that that is the aggregate amount of the contracts proposed to be paid under this amendment. If that be true, I think it would be well to make the limitation explicit.

Mr. ASHURST. Mr. President, if my memory serves me correctly, my impression was that the claim was for $1,500, but if the Senator from Oklahoma, who has made the computation, says it amounts to the sum indicated by him, I have personally no objection to the amendment.

The VICE PRESIDENT. The amendment of the Senator from Oklahoma will be stated.

The SECRETARY. On page 70, line 20, after the word "discharge," it is proposed to insert:

Provided further, That the payments made under such contracts shall not exceed $1,950.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. PAGE. Mr. President, I do not know that I am justified in taking the time of the Senate in commenting upon this section of this bill, which proposes to make per capita payments of $300 each to the Choctaws and $200 each to the Chickasaws; and yet I feel that at least a few words ought to be said to the Senate setting forth what this provision really accomplishes. It means that we shall pay out to the Indians of Oklahoma more than $7,000,000; I think, with the other appropriations made for Oklahoma, it means that we will pay out from eight to ten million dollars this year. I do not object that this money does not belong to the Choctaws or the Chickasaws. I think the funds are in the Treasury which belong to them; but, in conferring with those who are conversant with conditions there, I am told that there is no probable question that within 60 days from the date that these sums are paid over to the Indians one-half of them will be separated from their money; indeed, one man with whom I conversed—and he was friendly to this legislation—said he had no doubt that within six months 75 per cent of the money would be gone.

In families, say, of five or six, each drawing $200 or $300, the aggregate amounts to $1,000 to $2,000 per family, and in some families much more. My judgment is that these large sums should not be given them without some safeguard. We ought to pay it out in smaller sums; at least, that is my judgment, and I give utterance to my judgment because I think I have some regard for the welfare of the Indians to whom these funds will go. It is true the money will find its way into Oklahoma; somebody there will get it; but our wards, for whom we have been conserving this fund for a good many years, will, in my judgment, be very little benefited by this legislation so far as more than 50 per cent of them are concerned. The money will be spent, and spent foolishly, in very many cases about as soon as the Indians get it.

Mr. OWEN. Mr. President, this per capita payment to the Choctaws and Chickasaws has been long delayed. It is a distribution to them of the proceeds of their property which was promised to them by the agreement of 1902. It has now been held for 14 years, and in that time nearly one-half of those people have died without getting the benefit of the property which was promised to them. Practically the only point, as I understand, which was made against paying these people what was promised to them by the United States is that they will be separated from their money. I will say, in answer to that, that I hope in due course of time to receive my salary for this month, and to be separated from it very promptly thereafter, and I do not want denial made to me on any such grounds. I take it that nearly every Senator will expend what is coming to him in due course; and it is no reason on earth for the United States refusing to pay a debt on the ground that the man to whom it is due and paid will spend it. There remains about $31,000,000 undistributed of this property.

Mr. PAGE. Mr. President, I confess to the truth of all the Senator has said. He is absolutely right in saying that it is the money of the Choctaws and Chickasaws and they ought to have it; but if you were to make the proposed distribution by a separate bill with a caption of its own, if that caption described the real purpose of the bill it would read, "An appropriation for the benefit of a goodly number of whites in Oklahoma—men having no Indian blood in their veins."

Mr. WILLIAMS. Mr. President, there have been very few more tragic occurrences in the history of the American people than the treatment by the United States Government and by the Oklahoma Choctaw Nation of the Mississippi Choctaws, and there have been a great many tragic and unjust things in our history. Shakespeare says that—

> Oh, it is excellent
> To have a giant's strength; but it is tyrannous
> To use it like a giant.

The white race has very frequently used its strength like a giant. In no one particular has that been better illustrated than in the treatment of the Mississippi Choctaws.

In 1830 "Old Hickory," with his unbending will, decreed that there should be a treaty with the Choctaw Indians in the State of Mississippi to remove them west of the Mississippi River. Many years later than that, when Andrew Jacokson died, it was said that one of his negro slaves said to another, "Do you reckon Marse Andy is in heaven?" The other said, "Of course he is; didn't you hear him say he was gwine there before he died?" So, when he made up his mind that there should be a treaty with the Mississippi Choctaws removing them west of the river, he had already made up his mind that they had to remove.

There are few more disgraceful pictures in the history of the country than the means resorted to in order to persuade those people to consent to go west of the river. They possessed upon the Yioughenougheny River and upon Pearl River, in the State of Mississippi, the happiest hunting grounds in the Union. They are happy hunting grounds even yet, notwithstanding the intrusion of population, and notwithstanding the change of the character of population under which most people are now not hunters, but merchants, lawyers, or something else.

When finally the treaty was entered into even Old Hickory found that he had to agree that those of the "Mississippi Choctaws," or those of the Choctaws who remained in the State of Mississippi and would not consent to the surrender of their tribal and thereto treaty rights, had to have an agreement with them that they were to have "all the privileges of citizens of the Choctaw Nation," even without removing from Mississippi, except that they could not share in "the annuity" given to those who did remove.

Year followed year, decade followed decade, and finally the time came when they proceeded to find out what were "the privileges of the citizens of the Choctaw Nation" in the Indian Territory—the old Indian Territory, consisting of the present State of Oklahoma as a part of it. These people had no vote in the State of Mississippi. They had cut themselves off from that. There are a lot of you who disapprove of Mississippi's attitude with regard to the idea that the governing force in the State must be members of the white race; but, whether you disapprove of it or not, the fact remains that these people, by our policy and their consent, had no vote in the State of Mississippi. They were included under the general term of "Indians not taxed" and did not vote, under the clause of the Constitution which prevented certain people from voting, amongst them "Indians not taxed."

Mr. President, they are a simple folk. They are an honest people. I said upon the floor of this body once before—and I hesitate to repeat myself, but still the chances are that the men who heard it before were not the men who are now here present—that when I wanted to hire a white man or a negro to go into the woods and split rails for me, or do any other odd job that Indians do, I counted the white man's rails, and I counted the darkey's, but it was never necessary to count the Indian's. He was honest. When he came to me and told me he had split 10,000 rails I knew he had split them, and when he told me where I could find them I knew I could find them.

Now, they have no votes; they are nothing politically to me; and yet, Mr. President, I have stood here two Congresses, and I have stood in the House—I do not remember how many Congresses—and I have defeated Indian Affairs Committee after Indian Affairs Committee with a vote of one House or the other. I have defeated the Indian Affairs Committee of this House—the Senate—twice, and once when I was sick in bed and could not come here the Senate, by procrastination and filibustering, carried over the Indian appropriation bill, under the guidance and leadership of my colleague, until the Indian appropriation bill itself was defeated, rather than leave these people without their rights under the law; and the Indian Affairs Committee in this appropriation bill, under the dominancy of the State of Oklahoma, has paid no more attention to the views of the Senate than if the Senate of the United States had not existed.

I went to the chairman of the committee the other day and proposed, and I renew the proposition now, that if he will reduce the amount of per capita allowance from $300 to $200, so that I will know that there will be enough money left in the Treasury for my Mississippi Choctaws—I do not call them mine in a political sense; they have not a vote, and the Oklahoma Choctaws have a whole lot of votes, and that is the difference between them—if he will do that, I will let the question rest, so that I may hope at some time in the future to have the entire question submitted to the Committee on Claims, and I shall introduce a bill to leave it entirely to them to judge not only of the legalities and the equities but of the moral and tribal rights of the Mississippi Choctaws.

Mr. President, citizenship in an Indian tribe was never based upon territoriality. It was always based upon consanguinity. If there had never been one word said in the Dancing Rabbit treaty about the rights of the Mississippi Choctaws, they still would have continued to be citizens of the Choctaw Nation by consanguinity, just as in ancient Rome and in ancient Athens, long after so-called civilization, men obtained their citizenship in each city because of their tribal relationship; and it was long and long and long afterwards before territoriality was considered—the tribal membership constituted citizenship. So with the Iroquois; so in Australia.

Because we are at a critical point in the affairs of the Nation I want to ask the chairman of the committee if he can not agree to reduce this per capita allowance to $200? Then I will know that after that is paid there will be enough left for my people, or rather these people, if the Court of Claims decides in their favor.

Mr. ASHURST. Mr. President, in reply to the distinguished senior Senator from Mississippi, I want to say, first, that I know that his polite and parliamentary gibe at the committee being under the domination of the Senator from Oklahoma——

Mr. WILLIAMS. Oh, I did not say "the Senator from Oklahoma"; I said the State of Oklahoma—in the other House and in this.

Mr. ASHURST. I am not taking exception to it. I want to say, on behalf of the Indian Affairs Committee of the Senate, that the language employed in the bill is the identical language which came over from the House, and the committee did not make any change in that part of it. Now, I may not state the situation accurately, but I will say to the distinguished Senator that my best information is that if this per capita payment of $300 were made there would still be ample funds to settle any possible, even conjectural, claim which might be made on behalf of the Mississippi Choctaws. Speaking further, I think I state the facts when I say there are $31,000,000——

Mr. WILLIAMS. Is it a Chickasaw and Choctaw fund, or purely a Choctaw fund?

Mr. OWEN. Jointly.

Mr. ASHURST. It is a joint tribal fund.

Mr. WILLIAMS. Ah, but we have no claim upon the Chickasaw part of the fund.

Mr. ASHURST. I am advised by one of the Senators from Oklahoma that only a fourth of it could be or would be charged to the Chickasaws, leaving three-fourths——

Mr. WILLIAMS. The Senator means, only a fourth of it would be credited to the Chickasaws.

Mr. ASHURST. Yes; I thank the Senator for the correction. Leaving three-fourths—I speak in round numbers—of $31,000,000 that are available for the Choctaws.

Mr. WILLIAMS. Mr. President, I recognize that the American people are just at this time in a parlous situation. Mexican troubles are crowding us, European troubles are beginning to crowd us more and more acutely than ever before, the recent sinking by submarine boats not only of belligerent vessels but of vessels of neutral powers without warning—all of that sort of thing is rising above the horizon. I am the last man who wants to take up the time of this body and of American preparation for possible trouble in what might look like the useless consumption of time for a purpose that is not as vital as the things with which we must soon deal.

I offered to two appropriation bills the following amendment:

The Secretary of the Interior is further authorized and directed to enroll as members of the said Choctaw Tribe of Indians all persons—

I ask the attention of Senators to this now—

All persons identified as Mississippi Choctaws by the Commission to the Five Civilized Tribes, under the provisions of section 21 of the act of Congress approved June 28, 1898, in the roll and report of said commission dated March 10, 1899, and in subsequent reports of said commission, which persons have not hitherto been finally enrolled.

Now, let me explain that; and I especially want the attention of the Senator from Kansas [Mr. CURTIS], because he was at that time a member of the Indian Affairs Committee in the House of Representatives, and, if I mistake not, the chairman of that committee; and I can not mistake this, if I am not mistaken about the contemporaneousness of things, he was the ablest chairman of that committee that we ever had, with the possible exception of Mr. SHERMAN, of New York.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Kansas?

Mr. WILLIAMS. I have not finished my question.

Mr. CURTIS. I want to correct the Senator.

Mr. WILLIAMS. And the Senator, I think, will bear me out in this: After procuring this amendment, of which what I have read is a part, I ascertained that the committee had put upon the provision a proviso that these people should move to Oklahoma.

I was at that time minority leader of the House. I had very little time to do anything except to lead the minority. I was informed that what I wanted was upon the bill. Later I found that a provision was upon it saying that these people should remove from Mississippi to the Indian Territory. I did not know that until afterwards. Of course, in requiring that they should remove, the whole contention that they were citizens by consanguinity and not by territoriality was surrendered. Then I came to the House as soon as I could, and I got an appropriation of $20,000 out of the Treasury to remove them. And after that the Secretary of the Interior and the Bureau of Indian Affairs wrote to those people and to me, in the State of Mississippi, when they had written to ask about removing, and informed them and me that if they did remove to the Indian Territory, as it was then constituted, they might possibly be removed as "intruders"—as intruders! At that time the now distinguished Senator from Oklahoma [Mr. OWEN] was the attorney of the Mississippi Choctaws—Winton, Owen & Winton, or Owen & Winton, or whatever the firm was—and was the first man in the world who ever brought to my attention the consanguinity rights of the Mississippi Choctaws. And that condition of things lasted until it was too late for those people to remove, and very few of them took advantage of the $20,000 appropriation.

Now I yield to the Senator from Kansas.

Mr. CURTIS. I will state, just to get the RECORD correct, that I was not chairman of the Committee on Indian Affairs of the House. I was chairman of the subcommittee having charge of the Indian Territory legislation.

Mr. WILLIAMS. And Mr. Sherman was chairman of the committee. I got it wrong.

Mr. CURTIS. The Senator is also mistaken in reference to the dates of the appropriations. It is true that it was by and through the efforts of the Senator from Mississippi, in 1898, that provision was made for taking care of the Mississippi Choctaws. Later on the fight came up in reference to the time for their removal, and, if the Senator will remember, he asked for a year, and we compromised on six months.

Mr. WILLIAMS. Now I want to read something, although I hate to take up the time right now.

After the passage of the legislation to which we are both referring, the Dawes Commission was directed to "identify" and prepare "a roll" of those "entitled to the privilege of Choctaw citizenship under section 14 of the removal treaty of 1830," which was the Dancing Rabbit treaty. The commission submitted a roll containing the name, age, sex, and residence of 1,925 *full-blooded Choctaws*. Shortly thereafter, before the approval of this roll, Congress enacted a law recognizing the rights of these Choctaws to full citizenship and allotment in the Choctaw Nation west, as other Choctaws residing in the Indian Territory, but requiring them within six months—and that is the point to which the Senator from Kansas was referring—to remove to the Indian Territory. The Department of the Interior suggested, or somebody suggested, a year. I suggested no time at all, because I was basing my claim upon consanguinity and not upon residence in a given territory. This

law as passed, however, required them, within six months after identification, to remove to the Indian Territory and to reside there for three years.

Oh, Mr. President, think of that—the technical cruelty of this Republic! Hunters and fishermen and rail splitters, with not money enough to provide themselves with rations one month in advance, and they were to remove to the Indian Territory and there maintain themselves for three years!

The Dawes Commission subsequently submitted about 2,500 names of identified *full bloods*, which enrollment was approved by the Secretary of the Interior. The vast majority of these full bloods were informed on February 14, 1903, that their time for removal would expire on August 14, 1903—March, April, May, June, July, August—six months. It was known that they were financially unable to go west under the requirements of the law, as the commission in its report had fully explained their "ignorant and impoverished condition." On March 3, 1903—giving only four months' time—as the Senator from Kansas will remember, Congress, under a motion of mine, which was adopted in the Indian Affairs Committee in the House, appropriated $20,000, to be expended under the direction of the Secretary of the Interior, to aid in their removal.

"Now follow certain almost unbelievable facts, fully verified by the records of the Interior Department, by original documents, and by sworn statements. The Secretary did not designate any person or agent to do this work until July 20, 1903." They had to move on August 14. It gave them less than a month.

Mr. OWEN. Mr. President——

Mr. WILLIAMS. "The agent they appointed arrived in Mississippi on July 27, 1903, 17 days before these 2,500 people, scattered over half the State of Mississippi and southern Louisiana, must, under the six-month requirement, be in the Choctaw Nation in the then Indian Territory."

Mr. OWEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Oklahoma?

Mr. WILLIAMS. On that day he had circulars printed and mailed to these people. The agent on that day had circulars printed and mailed to these people, notifying them of the necessity for their removal, and that they must be in Meridian, Miss., prepared to leave, by August 11.

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Oklahoma?

Mr. WILLIAMS. Wait one moment. As these Choctaws lived a long distance from a post office—most of them lived in Leake County, without a railroad; a large number of them lived in Neshoba County, at that time without a railroad, though it now has one—ignorant, unable to read, unable to write, they could not see nor read nor understand notices of any description.

Mr. President, there is one other point to which I want to refer, and then I will yield to the Senator from Oklahoma, if he desires.

Capt. McKennon, of the State of Arkansas, was at that time chairman of the subcommission that went to the State of Mississippi to make this enrollment to "identify" these people as Mississippi Choctaws. Capt. McKennon and the two other members of that subcommission agreed to this rule of identification, because they were sensible men, and therefore knew a white man from a negro, and knew a negro from an Indian, and knew an Indian from either of the other two, to wit, that a full blood was entitled to identification and enrollment. There never had been any Indians in the State of Mississippi except Choctaws and a few Pascagoulas down on the seacoast, who never had gone beyond the fishery radius of the Gulf coast, and a few of the Natchez Tribe, on the southern part of the Mississippi, and of Chickasaws, in northwest Mississippi, who were early all removed to reservations. Whenever a full-blooded Indian presented himself to them, the Pascagoulas having passed out and died long ago, there being no Pascagoulas left alive, and all the others being removed, and all except the Choctaws having been the enemies of the English-speaking white man, they said, "There never have been any Indians in the State of Mississippi except the Chickasaws, in the northwest district, who all removed to the Indian Territory; the Pascagoulas, who are dead; the Natchez, who are dead or gone; and the Choctaws, who are left remaining there alive"; so that whenever a full-blooded Indian came they identified him as a Mississippi Choctaw, "the white man's friend," who was allowed to remain.

Can you imagine what the Interior Department did later? Why, Mr. President and Senators, the Interior Department decided that an ignorant Choctaw Indian—illiterate, impoverished, a hunter and a fisherman and a rail splitter—had to *prove* by affirmative and specific testimony that he was the descendant of a Choctaw in Mississippi living in 1830 and claiming as such under the Dancing Rabbit treaty.

Did you ever think about how many white men, intelligent, educated, could prove that they were descendants of somebody who lived in 1776? Did you ever think about how many white people there are who have kept family records could prove who were their great-great-grandfathers? Have you ever thought of how many could add to this evidence aliunde? It was not remarkable, then, when the ruling was made in the court out in Oklahoma, in the interest of the Oklahoma Choctaws, that these people must prove not only that they were full-blood Choctaw Indians living in the State of Mississippi, but that they were by specific testimony descendants of some Choctaw ancestor and ancestress living in 1830, that virtually none of them could prove it. The only men who could prove it were the men with a little splash of white blood in them, and their proof was suspected of perjury.

Now, Mr. President, I have paid my tribute to the Mississippi Choctaw Indians; and notwithstanding the fact that the chairman will not agree to reduce the amount from $300 to $200, I rest satisfied for the present with merely putting in a plea in this court for future consideration; and I give notice now that I will never again while I am in public life consent to another allotment to the Oklahoma Choctaws after this date—having the Senate behind me against your committee twice already upon the proposition, but not desiring now to take up the public time—I will never hereafter, I say, consent to another per capita allotment to the Oklahoma Choctaws until their brethren by blood and by national citizenship, by all laws of savage or semisavage Indian tribes, have been considered. The only reason why I consent to it now is that the chairman of this committee, in whom I have the very highest degree of personal confidence, assures me that there will be enough money left to take care of the rightful claims, I started to say, of my constituents—but they are not even my constituents; they are nobody's constituents on the surface of the earth, unless they are God's.

Mr. ASHURST. Mr. President, I think the Senate must metaphorically lift its hat to the generosity and the chivalry of Mississippi's distinguished Senator, and both Senators; but ever since I have been in the Senate the senior Senator from Mississippi has been urging the claims of these illiterate, as he says, homeless Indians.

Mr. WILLIAMS. And honest.

Mr. ASHURST. I have no doubt they are honest. Their situation, Mr. President, appeals to me. These speeches which the Senator has made, not only to-day but at previous times, and the speeches which his colleague [Mr. VARDAMAN] has made appeal to my sense of justice. I believe now, as I have always believed, that Congress should do something for the Mississippi Choctaws. But, Mr. President, with the greatest respect—and I differ with my friend with considerable reluctance—with the greatest respect to him, I can not as a Senator vote to take money away from the Oklahoma Choctaws, when, according to the lights as I see them, I could not do so without violating a trust. That is a point of difference between the Senator and me.

Mr. WILLIAMS. Mr. President, may I ask the Senator a question there?

Mr. ASHURST. Certainly.

Mr. WILLIAMS. Of course he and I know that there are no better friends than he and I. Did not the Senator suggest to me not long ago, or did he—if I am mistaken, I hope he will state so—that the proper arena, or rather the proper treasury from which I ought to secure relief for these people, was the United States Treasury?

Mr. ASHURST. Certainly; not the funds of the Indians.

Mr. WILLIAMS. In suggesting that, the Senator admitted that they had rights. Now, no ward ever had a right for his guardian to make up a deficiency due from another ward. I do not contend that these people have any claim against the United States Treasury. They have none. They have only the claim growing out of consanguinity as citizens of the Choctaw Nation. If they have not that, they have none. I myself can not now see how I could vote for an appropriation to them out of the United States Treasury unless I voted for it as a gratuity or a charity on the ground that they had been harshly dealt with.

Mr. ASHURST. Mr. President, while I do not in any way concede, directly or indirectly, that the Mississippi Choctaws have any claim on this particular fund with which we are dealing to-day—I shall not go into the legal phase of it—I do want to read——

Mr. VARDAMAN. Mr. President, will the Senator yield to me?

Mr. ASHURST. Certainly.

Mr. VARDAMAN. If they have not a claim on that, on what have they a claim?

Mr. ASHURST. Upon the Federal Treasury, just like any other homeless Indian; just as the homeless Indians in Nevada, for whom we appropriated $15,000 to-day to buy lands—the claim that any people would have on a Christian and an honest Nation.

Mr. VARDAMAN. Have they any more claim than any other class of homeless, friendless people?

Mr. ASHURST. My opinion is that they have a claim, founded possibly in conscience, against the Federal Treasury, not against the money that belongs to the Oklahoma Choctaws, for the reason, among others, that article 2 of the treaty of 1830 says:

> The United States, under a grant specially to be made by the President of the United States, shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it.

Mr. WILLIAMS. The Senator is making a mistake there. I did at a previous session of the Senate offer an amendment, but I am now offering no amendment, and I am not offering it for two reasons. The first great reason is that this nation is in a situation where I do not want to defeat an Indian appropriation bill, although I have done it before, and the second reason is that I think there will be money enough back for these people to obtain justice after a while, and, third, because so many Senators are busy and absent who, when they come in without hearing debate, would say, "What is my vote?" and then vote with the committee. I am assured that there will be funds enough left, and I know when the Senator from Arizona assures me of it that he, at any rate, believes it, and I think he has sufficient knowledge of the situation to make his belief equivalent to a fact so far as I am concerned.

Mr. ASHURST. I thank the Senator for his very generous reference to myself. I hope to merit that. Briefly to answer his question as to the amount of the fund, I wish to say this bill distributes to the Choctaws——

Mr. WILLIAMS. In one word, I would like to add to what the Senator from Oklahoma said, to wit, that "the Choctaws in Oklahoma are dying while they are waiting for the allotment"; that these Choctaws in Mississippi are also dying while they are waiting for their allotment. The sanitary condition in Mississippi is a little better, perhaps, than in Oklahoma, and therefore not quite as large a percentage, but a percentage, in Mississippi have died and gone away "to rest under the shade of the river" with no satisfaction of their just claims and rights.

Mr. ASHURST. Permit me to give the figures as they have been made up for me and as I understand them, and I believe them to be correct. We are distributing under this bill $6,239,700 to the Choctaws and $1,260,800 to the Chickasaws, being a total of $7,500,500, leaving $24,003,454, so I am advised by the Indian Department, in cash and profit to the credit of these two tribes, one-fourth to the credit of the Chickasaws and three-fourths to the credit of the Choctaws. Those figures have been furnished to me.

Mr. WILLIAMS. How much will be left for the Choctaws?

Mr. ASHURST. Three-fourths of $24,003,454.

Mr. OWEN. Mr. President, I shall take only a few moments of the time of the Senate, and would make no answer to the Senator from Mississippi [Mr. WILLIAMS], but I can not permit what I think is a very erroneous impression to be left on the mind of the Senate with regard to the Mississippi Choctaws. It is not true as a principle of law that consanguinity gives to the Mississippi Choctaws or to any nonresident Indians the right of a distributive share in the Choctaw property west. That principle has not been observed in other cases.

There are full-blood Seminoles in Florida who upon a claim of consanguinity could demand a part of the Seminole property in Oklahoma, but who make no such pretenses. There are full-blood Cherokees in North Carolina who on the theory of consanguinity could demand a part of the Cherokee property in Oklahoma. Full-blood Creeks in Alabama on such an absurd theory could demand participation in the property of the Oklahoma Creeks, but neither the eastern full-blood Creeks or Cherokees make any such unfair claim.

Mr. WILLIAMS rose.

Mr. OWEN. I do not wish to be interrupted, if the Senator please. The same principle—living with the tribe as a condition of citizenship—applies with regard to the Choctaws and Chickasaws.

Mr. WILLIAMS. If the Senator will allow me——

Mr. OWEN. I hope the Senator will excuse me.

Mr. WILLIAMS. I am necessarily called to a subcommittee meeting.

Mr. OWEN. I yield to the Senator.

Mr. WILLIAMS. I want to say that the difference between those cases and this is that the Dancing Rabbit treaty expressly reserved every right to the Mississippi Choctaw and citizenship in the Choctaw Nation except a share in the annuities. The Senator will remember that.

Mr. OWEN. I remember the treaty of 1830 very well, and that very treaty itself is a denial of the plea of consanguinity, because if consanguinity were sufficient it would not be necessary to have a statutory provision or a treaty reservation.

Mr. WILLIAMS. It is a recognition of it by treaty, which makes it all the stronger.

Mr. OWEN. That is a statutory provision. So far was it true that consanguinity did not give this right of citizenship that when the Government of the United States, in its desire to move all the five tribes from the east of the Mississippi River to the west of the Mississippi River, expressly stipulated the Choctaws should agree to remove west—1830. The Mississippi full-blood Choctaws not being willing, that is, a considerable number of them not being willing, to move west of the Mississippi River at that time—1830—refused to make the treaty of 1830 unless there was an express provision put in the fourteenth article that the individuals who took land under the fourteenth article, amounting to 640 acres to an adult and a smaller amount to minors, should not lose thereby—that is, taking land in Mississippi under article 14—their right in the Choctaw Nation as citizens, but the treaty provided if they removed they should enjoy no part of the annuities. It was provided in that treaty that they should live five years in Mississippi and become citizens of the State. It was not contemplated by many of these people that they ever would move at all or repossess themselves of citizenship as they had reserved the right to do; others thought they might move later on. In point of fact, nearly all the original members either moved west or died, and it is now nearly a hundred years later that their descendents or those claiming to be their descendants, referred to in this loose way as Mississippi Choctaws, have the right to citizenship with the western Choctaws, even without removal, because their great-grandfathers stipulated that they should not lose their rights in the Choctaw Nation by their failure to move in 1830.

In point of fact, the "Mississippi Choctaws," under the statutes of the United States, comprise only those persons of proven Choctaw blood who moved west under the agreement of 1902 and were included as "Mississippi Choctaws" on a special roll under the terms and conditions of that particular agreement. The Indians in Mississippi may be of Choctaw blood, many of them probably are, but they may be of Creek, Chickasaw, Seminole, or Pascagoula Indians or of mixed tribes.

The Supreme Court of the United States in the so-called Cherokee case decided that the full-blood Cherokees in North Carolina who did not move to the west were not entitled to citizenship there; that if they desired to enjoy citizenship they must first move into the Cherokee country west and there be adopted into citizenship by the proper authorities.

The Choctaw-Chickasaw treaty of 1866 required all Choctaws seeking allotments to establish bona fide residence in the Choctaw-Chickasaw Nation.

When Congress came to divide up these lands and sent the Dawes Commission in 1893 to the Five Civilized Tribes, Congress passed some immediate legislation requiring all Indians of the Five Civilized Tribes seeking allotment to establish bona fide residence. In the Curtis Act of 1898 an express provision was inserted that no Indian should be enrolled by the Dawes Commission who had not previously to that time established residence in good faith in the tribe in which he claimed citizenship. I was then representing the Mississippi Choctaws and I asked an exception in their behalf in order that they might have time within which to make the removal and in which they might conform to the unbroken rule of residence. The Senator from Mississippi supported that proposal. I made the draft of the language myself and it became a part of the statute. It was put on the so-called Curtis Act by the Senator from Kansas [Mr. CURTIS] in the House, and a further time therefore was granted to the Mississippi Choctaws by that act. I made the most resolute effort to have Congress waive the requirement of removal and residence for the Mississippi Choctaws, and Congress was unwilling to do so and did not do so.

I pause to emphasize that the treaty of 1866 expressly required that in the contingency of the Choctaw and Chickasaw lands being allotted five years should be permitted within which Choctaws and Chickasaws residing east of the Mississippi River or elsewhere might be given an opportunity to reestablish their citizenship and become members of the tribe for allotment. It

was the fixed policy of the United States to require removal and bona fide residence and no exception has ever been made to it in a single case.

The Dawes Commission was instructed by Congress in 1898 in the Curtis Act to identify persons claiming to be Mississippi Choctaws still living in Mississippi. In January, 1899, the Dawes Commission sent Capt. McKennon, who spent three weeks in Mississippi, and in that three weeks he identified 1,943 Choctaws, so called, 177 of whom were confessedly of mixed blood. He stated in his report that he found that these persons so identified and who appeared to be of Choctaw blood were not able to prove that their ancestors had complied with the fourteenth article of the treaty of 1830, and that they were unable in the second place to prove that they themselves were the actual descendants of persons who claimed as Mississippi Choctaws to have taken lands under the fourteenth article of the treaty of 1830.

So their line of proof failed on two points; first, that their ancestors had complied; second, that they were descendants of such ancestors. Whoever their ancestors were they could prove nothing. They kept no records; they had no English patronymics; no baptismal register, no birth register, no death register, and they had no family register. They had to rely upon the memory of man, and after 70 years, when all the original fourteenth article claimants were all dead, it was impossible to make any proof. The consequence was that when this question came up in making the agreement of 1902 the Choctaw and Chickasaw authorities west drafted a provision that all persons duly identified as Mississippi—mark those words, duly identified—should be enrolled for an allotment on certain conditions of removal and residence.

The Dawes Commission at that very time had, upon a careful and critical examination and under the influence of legal and technical arguments of attorneys representing the Choctaw and Chickasaw Nations west, already determined that these people were not duly or legally identified, and in their report of May 24, 1902, to the Commissioner of Indian Affairs and the Secretary of the Interior they found that none of the people enrolled in 1899 as Mississippi Choctaws could prove themselves entitled under the law, and that they were not legally identified, or entitled to identification, with the exception of five persons, Josephine Hussey et al. I think there are some five persons embraced in that family. In that contingency an appeal was made by me to the Congress and the executive department on behalf of the Mississippi Choctaws, as they were entirely unable to prove their case. An appeal was made to the Congress of the United States that, in view of their ignorance, in view of their poverty, in view of their honesty, they might be permitted to have the question of proof waived in behalf of those who were actually of the full blood. That applied only to the heads of families and not to the children of the heads of families, because a child of a half blood or of a mixed blood was not entitled under that agreement, and it was so held afterwards by the Attorney General in construing it.

So this rigid rule of legal proof was waived in behalf of all the Mississippi Choctaws who could show that they were full bloods, and on the condition that within six months after identification they could remove and be allotted, not as the Senator from Mississippi states, in six months from the date of the agreement, but within six months after they had been identified—a very different thing. Some of them were not identified for two or three or four years. After they were identified they were notified they could move with safety and establish bona fide residence, and not be under the threat of being held as intruders, as the Senator from Mississippi stated. The Senator is mistaken about that. The law did not require them to move and then be held as intruders, as he states. When they did move they moved after they had been identified for removal and could not be held as intruders. The statement which the Senator from Mississippi made was due to forgetfulness on his part.

In February, 1896, he wrote a letter to the Commissioner of Indian Affairs asking what the right of the Mississippi Choctaws was, and the Commissioner of Indian Affairs notified him that they would be regarded as intruders if they moved to the Choctaw country west before they had been recognized by the proper authorities of the Choctaw Nation as entitled to citizenship. That letter of 1896 the Senator confuses with 1902, 1903, and 1904, and he is entirely in error. Of course, the Senator did not intend it. But these people who did remove under the agreement of 1902 removed only after they were identified under that agreement, and they had the right given to them then of property which is estimated by the best authority for 1,634 enrolled and allotted Mississippi Choctaws as worth $15,000,000. Over 1,600 of them did remove and establish bona fide residence, and now, after they have been given the time to move from 1896 up to 1907, Congress, by an act in 1906, directed the rolls which had been under consideration for 10 years to be closed as of March 4, 1907, 9 years ago. They had 11 years theretofore in which to move, establish bona fide residence, and to be recognized. They did not choose to avail themselves of it. It was not because of poverty, because there were very many companies of men who were engaged in leasing the Choctaw lands for grazing and for agricultural purposes who scoured Mississippi urging these identified Indians to move to Oklahoma, and those of them who did not come exercised their own free will and option in refusing to come, because they preferred the beautiful country where they had been so long living; they preferred their local attachments to allotments in Oklahoma, and their love for the Mississippi valleys and streams was stronger than the desire for gain, and they refused to go west.

Now, after these rolls have been open from 1896 to 1907—11 years—and have been closed for 9 years—20 years in all—the Senators from Mississippi [Mr. WILLIAMS and Mr. VARDAMAN] show their loyalty and affection for the Mississippi Choctaws by pleading for the reopening of the rolls closed 9 years, and pleading that the Choctaws west shall be required to divide with persons in Mississippi (who claim to be Choctaws and can not prove it) the property which they bought and paid for and which they earned by living on it for nearly a century, because that land was first granted to them in 1820, not 1830, and the patent issued on condition that they should live on the land.

I wish to put into the RECORD with regard to this matter several statements by the attorney of the Choctaw Nation, which gives in brief quotations from the treaties and quotations from the decisions of the courts and Indian department; the unanimous report of the special committee of the House who examined this case at very great length. The House and Senate have heard this ad nauseam and decided it adversely on various occasions. Four different secretaries have decided against this claim of the Mississippi Choctaws—Republican secretaries and Democratic secretaries—and there is no longer any ground whatever either of law or morals or of ethics why this matter should be reopened. Nor have the Mississippi Choctaws any claim on earth against the United States except the claim of a dependent, impoverished people for whom the United States has always shown generous care. On that ground I would favor dealing with generosity with the Mississippi Choctaws, but not on any ground of a legal right or a moral right to any further concessions than have been made in the premises.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

STATEMENT OF P. J. HURLEY, NATIONAL ATTORNEY FOR THE CHOCTAW NATION.

IN RE ENROLLMENT MATTERS.

The following is a brief statement outlining generally the history and the present status of the claims which are now being presented by persons for enrollment as citizens of the Choctaw and Chickasaw Nations.

MISSISSIPPI CHOCTAWS.

On March 10, 1899, the Dawes Commission reported that there were extremely few, if any, Indians in Mississippi who could prove their right to enrollment as citizens of the Choctaw and Chickasaw Nations, under the fourteenth article of the treaty of September 27, 1830. At that time there was much agitation for the enrollment of the so-called Mississippi Choctaws, and in the agreement between the Choctaws and Chickasaws and the United States, approved July 1, 1902 (32 Stat. L., 641), a compromise was reached on the Mississippi Choctaw claim.

The Choctaws and Chickasaws agreed to enroll, as a gratuity, all full-blood Choctaws who then resided in Mississippi if they would remove to and establish a residence in the Choctaw or Chickasaw Nations.

Under this agreement 1,634 Mississippi Choctaws were enrolled and received allotments in the Choctaw and Chickasaw Nations. With a few exceptions, the entire 1,634 were enrolled under the full-blood rule of evidence and were not required to prove a right to enrollment. The approximate value of the property received by these 1,634 persons is $15,000,000. This is the price paid by the Choctaw and Chickasaw Nations for a settlement of the Mississippi Choctaw claim in 1902.

In consideration for this concession on the part of the Choctaws and Chickasaws the Government agreed to close the rolls, to sell the residue of tribal property, and distribute the proceeds per capita among the enrolled members of the tribes. The United States Government has not performed its part of the agreement.

The agreement of 1902 (32 Stat. L., 641), above referred to, contained the following provision:

"No person whose name does not appear upon the rolls prepared as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw Tribes, and those whose names appear therein shall participate in the manner set forth in this agreement."

The act of April 26, 1906 (34 Stat. L., 137), declared the rolls of the Choctaw and Chickasaw Nations closed in the following language:

"*Provided*, That the rolls of the tribes (Choctaw and Chickasaw) affected by this act shall be fully completed on or before the 4th day of March, 1907, and the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any persons after that date."

The rolls of the Choctaw and Chickasaw Nations are therefore closed and have been closed since the 4th day of March, 1907.

The claim which is now being presented by the proponents of the legislation for the enrollment of Mississippi Choctaws has heretofore been fully considered and decided adversely to the so-called Mississippi Choctaws by the following tribunals and officials:

(1) 1897: The Federal courts of Indian Territory. (Jack Amos v. Choctaw and Chickasaw Nations. Jurisdiction affirmed by Supreme Court, Stephens v. Cherokee Nation, 174 U. S., 445.)

(2) 1898: The Dawes Commission to the Five Civilized Tribes. (See reports Jan. 28, 1898, and Mar. 10, 1899.)

(3) 1902: The Choctaw and Chickasaw people and the United States Government in the preparation of the supplemental agreement of July 1, 1902. (32 Stat. L., 641.)

(4) 1906: The Congress of the United States, which by the act of April 26, 1906, finally directed the closing of the rolls March 4, 1907. (34 Stat. L., 137.)

(5) 1912: Hon. Samuel Adams, First Assistant Secretary of the Interior. (See report dated July 2, 1913, addressed to Hon. JOHN H. STEPHENS, chairman Committee on Indian Affairs, House of Representatives.)

(6) 1915: A subcommittee of the Committee on Indian Affairs of the House of Representatives. (See report H. R. No. 12586, dated Jan. 2, 1915.)

(7) 1915: Hon. Franklin K. Lane, Secretary of the Interior. (See report dated Jan. 8, 1915, addressed to Hon. JOHN H. STEPHENS, chairman of the Committee on Indian Affairs of the House of Representatives.)

The United States Government is bound by solemn agreement to sell the residue of Choctaw and Chickasaw tribal property and distribute the proceeds among the enrolled members of the tribes. Fulfillment of this obligation has been, and is being, prevented by the representatives of the alleged Mississippi Choctaws and by the proponents of legislation intended to be of assistance to the alleged Mississippi Choctaws.

It has been repeatedly shown that the Mississippi Choctaws have no legal, equitable, or moral right to share in the property of the Choctaw Nation.

CLAIMANTS FOR CITIZENSHIP OTHER THAN MISSISSIPPI CHOCTAWS.

It has been contended by attorneys and agents representing claimants for enrollment as citizens of the Choctaw and Chickasaw Nations that there was a period immediately before the closing of the rolls on March 4, 1907, during which action on all pending cases was rushed, and that the applicants were not given the benefit of a cautious consideration of their cases.

This contention is very misleading, because it is a fact that the cases which were considered during the so-called "rush period" had been considered before—some of them had been considered and determined a number of times, and were pending on motion to review, or on appeal from the order denying a motion to review. Very few, if any of them, were pending on a direct appeal from the original decision of the Commission to the Five Civilized Tribes, and none of them were pending for a consideration on the merits of the cases—the merits having theretofore been passed upon by the Commission to the Five Civilized Tribes.

All of these matters have been under consideration almost continuously since the closing of the rolls March 4, 1907. At one time the agitation for the reopening of the rolls of the Five Civilized Tribes became so great that the matter was brought to the attention of the President of the United States, and afer having fully considered the matter, President Taft wrote the following letter to Richard C. Adams, an attorney at law, of Washington, D. C.:

THE WHITE HOUSE,
Washington, April 20, 1910.

MY DEAR SIR: I am in receipt of your letter which you visited my office with Mr. Creager, of Oklahoma, to hand me. Your letter deals with the question of claims of Indians against the Government. Of course I am in favor of facilitating the hearing of those claims as much as possible; and as to the second, I am opposed to the reopening of the Indian citizenship rolls. It seems to me it would be like opening a Pandora's box. Exceptional cases that present great equities might be considered by special legislation.

In conclusion, I can only say that no one is more anxious than I am to close out these Indian disputes and put Indians on the basis of other citizens, in so far as it is possible to do so without exposing those who are uneducated and unable to look after their own interests to the fraudulent manipulation of unprincipled persons.

Sincerely, yours,

WM. H. TAFT.

Mr. RICHARD C. ADAMS,
Bond Building, Washington, D. C.

(See H. R. Rept. No. 2273, 61st Cong., 3d sess.)

It will be noted that the President was opposed to the reopening of the rolls, but said "exceptional cases that present great equities might be considered by special legislation."

On February 12, 1910, Hon. R. A. Ballinger, then Secretary of the Interior, addressed a letter to Hon. MOSES E. CLAPP, chairman of the Committee on Indian Affairs of the United States Senate, in which he made the following recommendation:

"In conclusion, I am constrained to believe, and therefore recommend, that the rolls be not opened up, but that proper legal authority be given the Secretary of the Interior to place upon the rolls those Indians (about 52 in number) whose applications were approved by the Commissioner to the Five Civilized Tribes and were transmitted to Washington before the 4th of March, 1907, but did not reach the department until after the rolls were closed; and, furthermore, that proper authority be given the Secretary of the Interior to examine and place upon the rolls the minor orphan children, incompetents, and Indians in incarceration whose claims were not presented in due time for adjudication. I am informed that this class numbers about 200. No one seems to have taken the responsibility of presenting the claims of this class for consideration. They could not look after their own interests." (See S. Doc. No. 1139, 62d Cong., 3d sess.)

The Secretary in this letter recommends against the reopening of the rolls, but favors special legislation for the relief of 52 persons, whose names were omitted from the rolls through inadvertence, and recommends that authority be given for the examination of the cases of certain other persons, not to exceed 200 in all.

Both President Taft and Secretary Ballinger, after having fully considered the question that is now under consideration, both decided against the reopening of the rolls. They considered, however, that there were a few exceptional cases wherein the applicants had strong equities and were in justice entitled to some relief.

Two investigations were made by the Interior Department to ascertain the names of all persons who were legally or equitably entitled to enrollment as citizens of the Five Civilized Tribes and whose names were not upon the finally approved rolls.

With the consent and upon the advice of the attorneys for the tribes, Hon. ROBERT L. OWEN, a Member of the United States Senate from Oklahoma, addressed a letter to the Secretary of the Interior asking that he be furnished with the names of persons who, upon investigation, had been found apparently equitably entitled to enrollment.

On April 24, 1914, Senator OWEN received the following letter from Hon. A. A. Jones, First Assistant Secretary of the Interior:

DEPARTMENT OF THE INTERIOR,
Washington, April 24, 1914.

MY DEAR SENATOR: In response to your request of April 22, I am inclosing herewith a list of the names of persons who, upon the investigation heretofore made, have been found apparently equitably entitled to enrollment on the rolls of the various tribes composing the Five Civilized Tribes, of Oklahoma. The data as to each of these names have heretofore been submitted to the Committee on Indian Affairs of the Senate, and may be found in Senate Document No. 1139, Sixty-second Congress, third session.

This list contains the names of all those whom the department has found equitably entitled to enrollment, omitting, as suggested, the names of newborn Choctaw freedmen.

Very truly, yours,

A. A. JONES,
First Assistant Secretary.

Hon. ROBERT L. OWEN,
United States Senate.

The list transmitted to Senator OWEN with the above letter contained the names of 318 persons. The Indian appropriation bill which became a law August 1, 1914 (38 Stat. L., 582), carried a provision authorizing the enrollment in the respective tribes of the persons whose names appear upon said list. All of said persons have since been enrolled and have received their distributive share of the property of the tribe to which they belong.

The letter of Secretary Jones, and the list, are set forth in full in Senate Document No. 478, Sixty-third Congress, third session.

Inasmuch as it has been repeatedly shown that the so-called Mississippi Choctaws have no right to enrollment, and inasmuch as all those residing in the Choctaw and Chickasaw Nations who appear to have been equitably entitled to enrollment have been enrolled, the members of the Choctaw and Chickasaw Tribes can not understand why the Government of the United States does not comply with the terms of its agreement made with them in 1902.

There appears to be no just reason why the residue of tribal property should not be sold and the proceeds arising from such sale distributed per capita among the enrolled members of the tribes in compliance with the terms of the treaty of 1902.

A considerable amount of tribal property has been sold and the money is now on deposit. There have been partial crop failures in Oklahoma for the past four years—in some sections the failure was almost complete. There are many Choctaws and Chickasaws who have been, and are now, in destitute circumstances and are in dire need of the money that belongs to them. The United States Government should at once pay them the money that is now on deposit to their credit.

For this reason we respectfully request the enactment of the provision now carried in the Indian appropriation bill, authorizing a distribution of all funds now to the credit of the Choctaw and Chickasaw Nations, as shown by memorandum of the Commissioner of Indian Affairs transmitted to the Committee on Indian Affairs of the House of Representatives on December 15, 1915. Said memorandum is in full as follows:

"The books of the Indian Office show that on December 15, 1915, there was in the Treasury of the United States to the credit of the Choctaw Nation, Okla., the sum of $3,360,620.11, and in banks in Oklahoma to the credit of said nation the sum of $4,071,733.13, the total Choctaw tribal fund being $7,432,353.24. The books of the Indian Office further show that on said date there was in the Treasury of the United States to the credit of the Chickasaw Nation, Okla., the sum of $778,471.51, and in banks in Oklahoma to the credit of said Chickasaw Nation the sum of $1,143,638.97, the total Chickasaw tribal fund being $1,922,110.48, the aggregate fund of the Choctaw and Chickasaw Nations being $9,354,463.72. The deferred payments on the Choctaw and Chickasaw tribal lands heretofore sold approximate $6,000,000 and the estimated value of the unsold land and other property of said nations approximates $16,149,491.23. Thus the total funds and other property of the Choctaw and Chickasaw Nations approximates $31,503,954.95.

"Twenty thousand seven hundred and ninety-nine enrolled citizens of the Choctaw Nation are entitled to share in any per capita distribution of the funds of said nation, and 6,304 enrolled citizens of the Chickasaw Nation are entitled to share in any per capita distribution of the tribal funds of that nation.

"For the purpose of further carrying out the Atoka agreement with the Choctaw and Chickasaw Tribes (see act of Congress of June 28, 1898, 30 Stat., L., 495, 512, 513) and the supplemental agreement with said Indian tribes adopted by the act of Congress of July 1, 1902 (32 Stat. L., 641–654), and in view of the general needy conditions existing in said nations it is recommended that an appropriation be made out of the Choctaw tribal funds for a per capita payment to the enrolled members of the Choctaw Tribe or to the heirs of deceased enrolled members, and out of the Chickasaw tribal funds for a per capita payment to the enrolled members of the Chickasaw Tribe or to the heirs of deceased enrolled members of said tribe, and that it be provided that such payments shall be made under rules and regulations to be prescribed by the Secretary of the Interior, and that in cases where the enrolled members of the Choctaw and Chickasaw Nations or their heirs are Indians who by reason of their degree of Indian blood belong to the restricted class, the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians.

"Inasmuch as a $100 per capita payment was made to the enrolled members of the Chickasaw Nation under the act of August 1, 1914, at which time no payment was made to the enrolled members of the

Choctaw Nation, it is therefore recommended that the enrolled members of the Choctaw Nation should be paid $100 per capita more than the amount provided for the enrolled members of the Chickasaw Nation. These payments would be made from the tribal funds belonging to the Choctaw and Chickasaw Nations and would not be a tax on the Federal Treasury."

P. J. HURLEY,
National Attorney for the Choctaw Nation.

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WASHINGTON, D. C., *February 3, 1915.*

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The Indian appropriation bill, which is now being considered by the Committee on Indian Affairs of the Senate, contains a provision authorizing a per capita payment of $200 to the enrolled members of the Choctaw Nation and a payment of $100 to the enrolled members of the Chickasaw Nation.

Every member of the Choctaw and Chickasaw Tribes is the owner of an equal undivided interest in the tribal property of both tribes. The Chickasaws received a per capita payment of $100 last year. The Choctaws received no payment. The provision now carried in the bill, if enacted, will equalize the amount received from tribal funds by the Choctaws and Chickasaws.

I am advised that an effort will be made by those who espouse the claim of the so-called Mississippi Choctaws to prevent the enactment of the provision referred to and that an attempt will be made to reopen the rolls of the Choctaw and Chickasaw Nations for the enrollment of the alleged Mississippi Choctaws.

I call your attention to the fact that on March 10, 1899, the Dawes Commission reported that there were extremely few, if any, Indians in Mississippi who could prove a right to enrollment as citizens of the Choctaw and Chickasaw Nations. At that time there was much agitation for the enrollment of the so-called Mississippi Choctaws, and in the agreement approved July 1, 1902 (32 Stat. L., 641), between the Choctaw and Chickasaw Nations and the United States a compromise was reached on the Mississippi Choctaw claims.

The Choctaws and Chickasaws agreed to enroll, as a gratuity, all full-blood Choctaw Indians who then resided in Mississippi if they would remove to the Choctaw or Chickasaw Nations.

Under this agreement 1,634 Mississippi Choctaws were enrolled and received allotments in the Choctaw and Chickasaw Nations. With a few exceptions the entire 1,634 were enrolled under the full-blood rule of evidence and were not required to prove a right to enrollment. The approximate value of the property received by these 1,634 persons is $15,000,000. This is the price paid by the Choctaw and Chickasaw Nations for a settlement of the Mississippi Choctaw claim in 1902.

In consideration for this concession on the part of the Choctaws and Chickasaws, the Government agreed to close the rolls, to sell the residue of tribal property, and distribute the proceeds per capita among the enrolled members of the tribes. The United States Government has not performed its part of the agreement.

The agreement of 1902, above referred to, contained the following provision:

"No person whose name does not appear upon the rolls prepared as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw Tribes, and those whose names appear therein shall participate in the manner set forth in this agreement."

The act of April 26, 1906, declared the rolls of the Choctaw and Chickasaw Nations closed in the following language:

"*Provided*, That the rolls of the tribes (Choctaw and Chickasaw) affected by this act shall be fully completed on or before the 4th day of March, 1907, and the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person after that date."

The rolls of the Choctaw and Chickasaw Nations are therefore closed, and have been closed since the 4th day of March, 1907.

The claim which is now being presented by the proponents of the legislation for the enrollment of Mississippi Choctaws has heretofore been fully considered and decided adversely to the so-called Mississippi Choctaws by the following tribunals and officials:

1. 1897: The Federal courts of Indian Territory. (Jack Amos *v.* Choctaw and Chickasaw Nations. Jurisdiction affirmed by Supreme Court, Stephens *v.* Cherokee Nation, 174 U. S., 445.)
2. 1898: The Dawes Commission to the Five Civilized Tribes. (See reports Jan. 28, 1898, and Mar. 10, 1899.)
3. 1902: The Choctaw and Chickasaw people, and the United States Government in the preparation of the supplemental agreement of July 1, 1902 (32 Stat. L., 641).
4. 1906: The Congress of the United States, which by the act of April 26, 1906, finally directed the closing of the rolls March 4, 1907.
5. 1912: Hon. Samuel Adams, First Assistant Secretary of the Interior. (See report of July 2, 1912.)
6. 1915: A subcommittee of the Committee on Indian Affairs of the House of Representatives. (Copy of report attached.)
7. 1915: Hon. Franklin K. Lane, Secretary of the Interior. (Copy of report dated Jan. 8, 1915, attached.)

The United States Government is bound by solemn agreement to sell the residue of Choctaw and Chickasaw tribal property and distribute the proceeds among the enrolled members of the tribes. Fulfillment of this obligation has been and is being prevented by the representatives of the alleged Mississippi Choctaws and by the proponents of legislation intended to be of assistance to the alleged Mississippi Choctaws.

It has been repeatedly shown that the Mississippi Choctaws have no legal, equitable, or moral right to share in the property of the Choctaw Nation.

A considerable amount of tribal property has been sold and the money is now on deposit. There have been partial crop failures in Oklahoma for the past four years—in some sections the failure was almost complete. There are many Choctaws and Chickasaws who have been, and are now, in destitute circumstances and are in dire need of the money that belongs to them. The United States Government should at once pay them this money in compliance with the terms of the agreement of 1902.

In view of these circumstances we respectfully solicit your assistance in preventing the reopening of the rolls of the Choctaw and Chickasaw Nations and in securing the enactment of a law authorizing a per capita payment.

Yours, respectfully,

P. J. HURLEY,
National Attorney, Choctaw Nation.

REPORT OF THE SECRETARY OF THE INTERIOR ON THE HARRISON BILL (H. R. 12586).

THE SECRETARY OF THE INTERIOR,
Washington, January 8, 1915.

MY DEAR MR. STEPHENS: I have the honor to refer herein to a communication of August 12, 1914, from Hon. C. D. CARTER, then acting chairman of the Committee on Indian Affairs of the House of Representatives, with which was inclosed a copy of H. R. 12586, entitled "A bill to reopen the rolls of the Choctaw-Chickasaw Tribes and to provide for the awarding of the rights secured to certain persons by the fourteenth article of the treaty of Dancing Rabbit Creek, of date September 27, 1830." He also referred to H. R. 4536 and requested that I consider the two bills together and make a report thereon.

Upon examination of H. R. 4536, I find that said bill is identical with H. R. 19213, introduced by Mr. HARRISON of Mississippi in the Sixty-second Congress, second session, upon which last-mentioned bill the department submitted to your committee a report dated July 2, 1912. H. R. 12586, introduced in the present Congress by Mr. HARRISON, is a similar bill to the above-mentioned bills, except that in said H. R. 12586 an additional paragraph is included in section 2 to provide for the enrollment of all persons who were identified as Mississippi Choctaws by the Dawes Commission in its report of March 10, 1899, commonly known as the McKennon roll, and of all persons identified as Mississippi Choctaws by the Dawes Commission from March 10, 1899, to March 4, 1907, whose identification was approved by the Secretary of the Interior but whose names did not appear on the final citizenship rolls of the Choctaw and Chickasaw Nations.

The claims of Mississippi Choctaw Indians to recognition as citizens of the Choctaw Nation of Oklahoma and to share in the property of said nation are based upon article 14 of the treaty of September 27, 1830. (7 Stat. L., 335.) Pursuant to the terms of the treaty, a large number of Choctaws were transferred from Mississippi to the country west, later known as Indian Territory. These Choctaws who so removed and their descendants now constitute the main body of what is known as the Choctaw Nation. There were, however, a considerable number of Choctaws who remained behind in Mississippi, some of them under the provisions of article 14 above mentioned.

Said article 14 provided that the person who claimed thereunder should not lose the privilege of a Choctaw citizen, but if they ever removed were not to be entitled to any part of the Choctaw annuity. The Indians who remained behind under the provisions of said article 14 received either land in Mississippi or scrip, which gave the applicants the right to enter upon public lands in certain Southern States. A part of said scrip, however, was later commuted by a money payment. Some of the fourteenth-article claimants later made their way west and joined the main body of the tribe in the Indian Territory. The Choctaw Council by various acts recognized the right of said absentee Mississippi Choctaws to remove to the nation, and actually invited them to do so.

Under the provisions of the Atoka agreement with the Choctaw and Chickasaw Tribes contained in the act of Congress of June 28, 1898 (30 Stat. L., 495), the supplemental agreement contained in the act of July 1, 1902 (32 Stat. L., 641), and later acts of Congress for the purpose of carrying out the provisions of said agreements, the claims of individual Mississippi Choctaw Indians to be identified and to be enrolled as entitled to share in the property of the Choctaw Nation were fully considered by the Commission to the Five Civilized Tribes and by the department after full hearing, at which the claimants had ample opportunity to present all the evidence which they could procure in support of their claims. Very few claimants were able to prove descent from an ancestor who received or applied for benefits under the provisions of article 14 of the treaty of 1830.

The history of the Dawes Commission enrollment work relative to Mississippi Choctaw claimants is very fully set out in a communication of April 14, 1914, from William O. Beall, at one time secretary of the Commission to the Five Civilized Tribes. A copy thereof is inclosed for your information.

For your further information as to the history of the Mississippi Choctaw claims and of the department action in the preparation of the final rolls there is inclosed a copy of department letter of July 2, 1912, to the chairman of the Committee on Indian Affairs of the House of Representatives.

Judge William H. H. Clayton in his decision in the case of Jack Amos *v.* The Choctaw Nation, a copy of which may be found in the appendix of the annual report of the Commission to the Five Civilized Tribes for the fiscal year ended June 30, 1901, said that no treaty or acts of the Choctaw Council or of any officer of the Choctaw Council since the treaty of 1830 could be cited, or at least he had not found them, whereby any right or privilege had been conferred, granted, or recognized in or to a Mississippi Choctaw so long as he remained away from his people, and that no right was recognized or conferred upon such absent Indian except upon the condition that he should remove to the nation, and the right was not to be consummated or enjoyed until actual removal.

Mississippi Choctaw Indians who, while the opportunity was theirs under the privileges accorded them, refused to emigrate with the tribe to the new country west, and who never shared in the burdens and hardships of the pioneer life incident to the establishment of the new tribal government west of the Mississippi, have at this late date (now that the tribal property of the Choctaw Nation made valuable by the emigrants is being divided per capita among the enrolled recognized citizens of the nation) no equitable right to share in said property.

With respect to the persons who were identified by the Dawes Commission as Mississippi Choctaws under the provisions of the act of Congress of June 28, 1898 (30 Stat. L., 495), but who failed to remove and make settlement in the Choctaw-Chickasaw country, as required by the act of Congress of July 1, 1902 (32 Stat. L., 641, secs. 41, 42, 43, and 44), it may be said that, irrespective of their unfortunate condition of poverty and ignorance, there is no ground, legal or equitable, for holding the Choctaw and Chickasaw Nations responsible for the failure of said identified persons to comply with the law as to removal and settlement. No obligation rested upon the United States to provide means for the removal of such Indians.

Referring to the class of claimants whose names were contained in an identification roll submitted by the Commission to the Five Civilized Tribes on March 10, 1899, but never approved by the Secretary of the Interior, your attention is invited to the fact that the commission soon recognized the inaccuracy and incompleteness of that roll and requested the department to disregard it and to return the same to the commission. In order that there might be no doubt as to the standing of said roll, it was disapproved by the department on March 1, 1907. The larger part of the persons whose names were contained on that disapproved roll were afterwards placed on the approved identification rolls, and those

who complied with the law as to removal and settlement were enrolled on the final rolls of Mississippi Choctaw Indians.

In the investigation and examination of Mississippi Choctaw claims made in 1900 and the years following by the Commission to the Five Civilized Tribes every effort that was possible to be made was made by said commission to reach all persons who had any equitable claim to recognition as Mississippi Choctaws, and especially to find those who were full-blood Choctaw Indians.

H. R. 4536 and 12586 in effect provide, so far as the Mississippi Choctaw claimants are concerned, a general reopening of the rolls of the Choctaw Nation, necessitating a review of all the cases which had been adversely decided by the United States courts, the Department of the Interior, and the Choctaw and Chickasaw citizenship court, as well as the consideration of claims not heretofore presented or considered, and empower the Secretary of the Interior to determine the rights of the claimants upon such evidence as may be produced by the applicants, without regard to any adverse judgment or decision heretofore rendered by any court or commission to the Five Civilized Tribes or the Department of the Interior, and without regard to any condition or disability heretofore imposed by any act of Congress.

The records of the department show the Mississippi Choctaw claimants have been to an unusual extent the victims of numerous extortionate contracts, and the correspondence in many cases indicates that contracts were obtained through misrepresentations as to the facts, and in some cases that such contracts were obtained from claimants who believe that the persons obtaining the contracts were Government agents. Your attention is invited to the report of Inspector McLaughlin, of this department, which report appears in print in the CONGRESSIONAL RECORD of July 10, 1914, commencing on page 13022.

Referring to section 9 of said bills, I am of the opinion that, in view of the large amount of tribal property yet to be disposed of and of other matters affecting the tribes, it would be advisable to abolish the tribal organization of the Choctaw and Chickasaw Nations at the present time.

In view of the facts as presented to me, I am of the opinion that no legislation should be enacted for the reopening of the rolls of the Choctaw Nation for the benefit of the Mississippi Choctaw claimants.

Very truly, yours,

FRANKLIN K. LANE.

Hon. JOHN H. STEPHENS,
Chairman Committee on Indian Affairs,
House of Representatives.

REPORT ON H. R. 12586.

JANUARY 2, 1915.

Hon. JOHN H. STEPHENS,
Chairman House Committee on Indian Affairs,
Washington, D. C.

SIR: Your subcommittee appointed to investigate and report on H. R. 12586 begs leave to submit the following observations:

A careful and painstaking investigation of all treaties, laws, and other records bearing on this claim, including hearings lasting from April 1, 1914, until August 27, 1914, was gone into by your committee.

H. R. 12586 directs:

1. The Secretary of the Interior to enroll certain Mississippi Choctaws upon the rolls of the Choctaw Nation in Oklahoma, with a full participation in their tribal estate.

2. To reopen the Choctaw rolls for the adjudication of 20,000 or more alleged claimants.

There are some Choctaws still remaining in Mississippi who have persistently refused and successfully resisted all efforts of the Federal Government and the Choctaw Nation to have them move west and affiliate with the tribe.

The testimony before the subcommittee discloses many thousands of persons of doubtful descent, African and other, living in Mississippi and surrounding States, who have attempted to assert claims as Choctaw Indians.

Such Indians of real Choctaw blood as still reside in Mississippi appear to take little interest in the claims asserted by their alleged attorneys. On the other hand, those claiming remote Indian blood and of doubtful descent have manifested much interest in being enrolled and sharing in a division of the Choctaw funds in Oklahoma.

The contention of these latter seems to have been inspired and augmented by certain attorneys who have sent agents among these people advising them that they were Indians and taking contracts for their enrollment for a contingent fee of from 30 to 40 per cent of recovery, and in many instances a small cash retainer in addition.

According to statements and admissions of these attorneys and their agents, two firms alone, those of Cantwell & Crews, of St. Louis, Mo., and Ballinger & Lee, of Washington City, D. C., and Ardmore, Okla., hold contracts with 15,596 individuals, carrying provisions for fees aggregating $10,882,815.

The testimony further shows that a syndicate for the purpose of securing the enrollment of Mississippi Choctaws and a participation in the tribal estate of the western Choctaws has been formed under the name "the Texas-Oklahoma Investment Co.," capitalized at $100,000, $25,000 of which has been paid in and used. The directors of this corporation are S. L. Hurlbut, of El Campo, Tex.; H. Masterson and W. A. Smith, of Houston, Tex.; and T. B. Crews and H. J. Cantwell, of St. Louis, Mo.

This claim of the Mississippi Choctaw attorneys for enrollment of their clients and participation in the Choctaw Nation's estate is by no means a new contention. The claim was, under direction of law, fully adjudicated by the Commission to the Five Civilized Tribes (H. Doc. 274, 55th Cong., 2d sess.) and afterwards by the Federal court, to which appeal was taken (Jack Amos et al. *v.* The Choctaw Nation, Decisions of United States Courts in Indian Territory, 465), both decisions being adverse to the Mississippi Choctaw contention for enrollment.

In rejecting the claim of nonresident Mississippi Choctaws the Commission to the Five Civilized Tribes said in part:

"This historical review of the acquisition of this territory by the Choctaw Nation and its subsequent legal relations to it makes it clear in the opinion of this commission that the Mississippi Choctaws are not under their treaties entitled to all rights of Choctaw citizenship except an interest in the Choctaw annuities and still continue their residence and citizenship in Mississippi." (H. Doc. 274, 55th Cong., 2d sess.)

In affirming the decision the United States District Court for the Central District of Indian Territory closed its decision with the following paragraph:

"To permit men with, perchance, but a strain of Choctaw blood in their veins, who, 65 years ago, broke away from their kindred and their nation, and during that time, or the most of it, have been exercising the rights of citizenship and doing homage to the sovereignty of another nation and have become strangers to the people, to reach forth their hands from their distant and alien homes and lay hold on a part of the public domain, the common property of the people, and appropriate to their own use, would be unjust and inequitable. It is, therefore, the opinion of the court that the absent Mississippi Choctaws are not entitled to be enrolled as citizens of the Choctaw Nation. The action of the Dawes Commission is therefore affirmed, and a decree will be entered for the Choctaw Nation." (Jack Amos et al. *v.* The Choctaw Nation, Decisions of United States Courts in Indian Territory, 465.)

An apeal was taken from these decisions by the attorneys for the Mississippi Choctaws to the Supreme Court of the United States and the Jack Amos case was dismissed upon motion of the attorneys for the Mississippi Choctaws (190 U. S., 873).

Several years subsequent to the date of these decisions excluding the Mississippi Choctaws from enrollment this matter was again taken up and readjusted by the legally constituted authorities of the Federal Government and the Choctaw and Chickasaw Nations in Oklahoma, by which agreement the Mississippi Choctaws were given additional time for identification and establishment of bona fide residence in the Choctaw Nation in Indian Territory. (Supplemental agreement, "An act to ratify and affirm the agreement with the Choctaw and Chickasaw Tribes of Indians, etc.," approved July 1, 1902.)

The Choctaw Nation in Oklahoma has dealt justly and liberally with the Mississippi Choctaws, always granting them full citizenship in their nation, with all emoluments thereto, whenever they would agree to affiliate with the tribe, and the Choctaw Nation in Oklahoma is under no legal, equitable, or moral obligation to enroll the Mississippi Choctaws as citizens of the tribe in the West at this time.

By the agreements negotiated between the Federal Government and the Choctaw Nation, all native western Choctaws were required to be on the reservation by June 28, 1898, or stand debarred from enrollment and participation in the tribal estate forever thereafter, and this rule has been strictly adhered to.

The time for establishment of residence on the reservation was extended to the Mississippi Choctaw claimants until July 1, 1903, giving the Mississippi Choctaws five years to move on the reservation after the time for establishment of such residence had been closed to the native Choctaws.

After 11 years were consumd by the Commission to the Five Civilized Tribes in making up the rolls of the Choctaw and Chickasaw Nations such rolls were affirmatively closed by action of Congress on March 4, 1907.

The rolls of the Choctaw Nation were held open to the Mississippi Choctaws from 1830 until March 4, 1907, giving the Mississippi Choctaws 77 years in which to complete enrollment with full benefits of citizenship.

The Federal Government as such is neither legally nor equitably obligated to enroll Mississippi Choctaws with the Choctaws west, and is under only such moral obligation to the Mississippi Choctaws as is due to dependent North American Indians who were originally occupants and owners of the soil and who have been deprived of their patrimony by white settlers.

The passage of H. R. 12586 would completely upset and undo 11 years of careful, painstaking work of the Interior Department in settling the affairs of the Five Civilized Tribes, turn the wheels of progress backwards for more than 20 years, and, as has been said by President Taft, "open up a Pandora's box of troubles, which the life of the present generation might not see closed."

The passage of H. R. 12586 would doubtless result in stupendous claims of millions of dollars against the Federal Government on the part of the Oklahoma Choctaws, because of a division of their funds among persons whom the Federal commissions and Federal courts have decided were not entitled thereto.

Its passage would lend encouragement to grafting attorneys with contracts for enormous attorneys' fees, running into millions of dollars, and hold out inducement for procuring additional contracts from spurious claimants.

Your subcommittee therefore recommends that the Harrison bill (H. R. 12586) be not favorably reported by the House Committee on Indian Affairs.

Respectfully submitted.

C. D. CARTER, *Chairman.*
J. D. POST.
ROBT. P. HILL.
P. P. CAMPBELL.

Mr. OWEN. Mr. President, I do not wish to detain the Senate. I have already detained the Senate 12 minutes, and that is long enough on this threadbare pretension.

Mr. VARDAMAN. Mr. President, this question is old, and any discussion of it will be a twice-told tale, vexing the dull ears of a very tired Senate, I know, and I am not going to add to the discomfort of Senators by indulging in a lot of fruitless talk.

My colleague, the senior Senator from Mississippi, has covered the ground very thoroughly. The equity of the Mississippi Choctaw in this fund is, to my mind, unquestionable. He probably failed to go to Oklahoma according to the terms of the law, but the United States can not afford to take advantage of that. He is the ward of the Government, and it is the duty of the Government to take care of and protect his interests. Any other view of the question is, to my mind, untenable and indefensible.

I had intended to move to amend the bill by striking out "$300" and inserting "$200," to be paid out per capita to the Choctaw Indians in Oklahoma. There seem to be, however, some sort of agreement or understanding among the friends of the poor, old, indigent, homeless, slandered, and abandoned Mississippi Choctaw to permit this bill to go through without amendment, trusting to God and the generosity of the American Congress to do something for him in the future. To my mind, his treatment is a crime against humanity—a blot upon the pages of American legislative history.

I do not think Congress can be or will be pardoned for the treatment the Choctaw Indian has received; but, as was so graphically and so eloquently stated by the senior Senator from Mississippi [Mr. WILLIAMS], he has no voice in the Government; he is merely flotsam and jetsam on the sea of life. He is dying out very rapidly, and it will only be a few years before there will not be any of these Indians left; but I suppose the only thing we can do now is merely to wait and hope—hope, if for nothing more, that if he is denied justice in this world he may find it with compound interest in the realm of the happy hunting ground across the great divide.

I do not want to deny to the Oklahoma Choctaws their rights. They are interested in a part of this fund. It is the duty of the United States Government to give it to them; and if Congress should at any time come to a consciousness of its injustice, or if the Congress should be so moved by an outraged conscience as to do them justice, I suppose there will be enough of the corpus of the fund left in the hands of the Government to give the Mississippi Choctaws what they are entitled to. With this short statement, Mr. President, I shall permit the wrong to be perpetrated without further comment, because I am sure that further comment would avail nothing.

Mr. GORE. Mr. President, as no amendment has been proposed to strike out the provision for the per capita payment I do not feel under any obligation to discuss the merits of this measure at this time. On a previous occasion I exhausted the subject and exhausted the Senate by such a discussion. I then undertook to show that the Government of the United States had on three several occasions undertaken to adjust the claims on the part of the Mississippi Choctaws at the expense of a great deal of land and at the expense of a great deal of money. I undertook to show that this claim on the part of the Mississippi Choctaws had been repeatedly considered and repeatedly rejected. I am willing to deal justly with the Mississippi Choctaws; I am even willing to deal generously with them, but not at the expense of the Oklahoma Choctaws. Further than that, I have nothing to submit.

The VICE PRESIDENT. The question is on the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, at the top of page 71, to insert:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Seminole Tribe of Indians of Oklahoma entitled under existing law to share in the funds of said tribe, or to their lawful heirs, out of any moneys belonging to said tribe in the United States Treasury or deposited in any bank or held by any official under the jurisdiction of the Secretary of the Interior, $300 per capita: *Provided*, That said payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That in cases where such enrolled members or their heirs are Indians who belong to the restricted class, the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians: *Provided further*, That the money paid to the enrolled members or their heirs as provided herein shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this act. There is hereby appropriated a sum not to exceed $2,000 out of the funds of said Seminole Tribe for the payment of salaries and other expenses of said per capita payment or payments.

The amendment was agreed to.

Mr. ASHURST. Mr. President, before we leave the matter of the per capita payment of these Indians I wish to have inserted in the RECORD a statement made by the Assistant Commissioner of Indian Affairs to the House committee.

Mr. OWEN. I wish the Senator from Arizona would also ask to have inserted in the RECORD a letter from the Secretary of the Interior, Mr. Franklin K. Lane.

Mr. ASHURST. I ask also that the letter referred to by the Senator from Oklahoma may be inserted in the RECORD.

The VICE PRESIDENT. Without objection the request will be granted.

The matter referred to is as follows:

Mr. MERITT. Mr. Chairman, I am authorized by Commissioner Sells to make the following statement in regard to the per capita payment to Choctaws and Chickasaws:

The books of the Indian Office show that on December 15, 1915, there was in the Treasury of the United States to the credit of the Choctaw Nation, Oklahoma, the sum of $3,360,620.11, and in banks in Oklahoma to the credit of said nation the sum of $4,071,733.13, the total Choctaw tribal fund being $7,432,353.24. The books of the Indian Office further show that on said date there was in the Treasury of the United States to the credit of the Chickasaw Nation, Oklahoma, the sum of $778,471.51, and in banks in Oklahoma, to the credit of said Chickasaw Nation, the sum of $1,143,638.97, the total Chickasaw tribal fund being $1,922,110.48, the aggregate fund of the Choctaw and Chickasaw Nations being $9,354,463.72. The deferred payments on the Choctaw and Chickasaw tribal lands heretofore sold approximate $6,000,000 and the estimated value of the unsold land and other property of said nations approximates $16,149,491.23. Thus the total funds and other property of the Choctaw and Chickasaw Nations approximates $31,503,954.95.

Twenty thousand seven hundred and ninety-nine enrolled citizens of the Chocktaw Nation are entitled to share in any per capita distribution of the funds of said nation, and 6,304 enrolled citizens of the Chickasaw Nation are entitled to share in any per capita distribution of the tribal funds of that nation.

For the purpose of further carrying out the Atoka agreement with the Choctaw and Chickasaw Tribes (see act of Congress of June 28, 1898, 30 Stat. L., 495, 512–513) and the supplemental agreement with said Indian tribes adopted by the act of Congress of July 1, 1902 (32 Stat. L., 641–654), and in view of the general needy conditions existing in said Indian nations it is recommended that an appropriation be made, out of the Choctaw tribal funds, for a per capita payment to the enrolled members of the Choctaw Tribe or to the heirs of deceased enrolled members, and out of the Chickasaw tribal funds for a per capita payment to the enrolled members of the Chickasaw Tribe or to the heirs of deceased enrolled members of said tribe, and that it be provided that such payments shall be made under rules and regulations to be prescribed by the Secretary of the Interior, and that in cases where the enrolled members of the Choctaw and Chickasaw Nations or their heirs are Indians who by reason of their degree of Indian blood belong to the restricted class the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians.

Inasmuch as a $100 per capita payment was made to the enrolled members of the Chickasaw Nation under the act of August 1, 1914, at which time no payment was made to the enrolled members of the Choctaw Nation, it is therefore recommended that the enrolled members of the Choctaw Nation should be paid $100 per capita more than the amount provided for the enrolled members of the Chickasaw Nation. These payments would be made from the tribal funds belonging to the Choctaw and Chickasaw Nations and would not be a tax on the Federal Treasury.

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DEPARTMENT OF THE INTERIOR,
Washington, March 8, 1916.

Hon. JOHN H. STEPHENS,
Chairman Committee on Indian Affairs,
House of Representatives.

MY DEAR MR. STEPHENS: Reference is made herein to H. R. 11479, entitled "A bill making a per capita payment to the Seminole Indians," and to your request of February 17, 1916, for a report thereon for the information and use of the Committee on Indian Affairs of the House of Representatives.

There is inclosed for your information a copy of a report of February 15, 1916, from the Acting Superintendent for the Five Civilized Tribes relative to the status of the undisposed of tribal land and funds of the Seminole Nation. It appears therefrom that only a few tribal matters remain undisposed of, and that on January 20, 1916, there was to the credit of the Seminole Nation in the Treasury of the United States and in banks in Oklahoma the sum of $1,580,260.14.

It was provided in the agreement of the United States with the Seminole Nation of Indians of Oklahoma, contained in the act of Congress of July 1, 1898 (30 Stat. L., 567–568), that $500,000 of the funds belonging to the Seminoles held by the United States should be set apart as a permanent school fund for the education of children of the members of said tribe and should be held by the United States at 5 per cent interest or invested so as to produce such amount of interest, which should after the extinguishment of the tribal government be applied by the Secretary of the Interior to the support of the Seminole schools. This fund should not be considered as available for per capita distribution to the members of the tribe at this time. Reserving said fund and in addition thereto the amounts necessary to provide for outstanding unpaid claims of individual members of the nation, there remains sufficient tribal funds to provide a $300 per capita payment to the 3,127 enrolled members of the nation.

In view of the provisions of the agreement with the Seminole Nation of Indians as contained in the above-mentioned act of Congress of July 1, 1898, the practical completion of the work relating to Seminole tribal property and affairs and the general needy conditions existing in the Seminole Nation a per capita distribution should be made. As to the Indians of the incompetent or restricted class, it should be provided that the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of said incompetent or restricted Indians.

I therefore suggest that H. R. 11479 be amended by omitting lines 8 to 12, inclusive, on page 1 of the bill and substituting therefor the following:

"That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Seminole Tribe of Indians in Oklahoma entitled under existing law to share in the funds of said tribe, or to their lawful heirs, out of any moneys belonging to said tribe in the United States Treasury or deposited in any bank or held by any official under the jurisdiction of the Secretary of the Interior, not to exceed $300 per capita: *Provided*, That said payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That in cases where such enrolled members or their heirs are Indians who by reason of their degree of Indian blood belong to the restricted class, the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians: *Provided further*, That the money paid to the enrolled members or their heirs as provided herein shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this act."

I recommend the enactment of H. R. 11479 if amended as above suggested.

Cordially, yours, FRANKLIN K. LANE, *Secretary.*

RURAL CREDITS.

Mr. McCUMBER. Mr. President, I desire to give notice at this time that, with the permission of the Senate, after the conclusion of the routine morning business to-morrow, I shall submit some remarks upon the rural credits bill which has been introduced in the Senate.

Mr. CHILTON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 28, 1916, at 12 o'clock meridian.